

THE DRUG WAR: DIPLOMATIC AND SECURITY IMPLICATIONS
FOR MEXICO AND THE UNITED STATES

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by

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ABSTRACT

THE DRUG WAR: DIPLOMATIC AND SECURITY IMPLICATIONS FOR MEXICO AND THE UNITED STATES, by Major Jesus R. Gonzalez, 103 pages.

The drug war in Mexico is entering its fourth year as of 2011. The level of violence has spread throughout Mexico raising doubts as to Mexico's ability to win and assert its State authority. The violence in the Northern part of Mexico causes significant challenges for both Mexico and the United States. Not the least being the potential for violence spreading north of the Mexican border. Thus the central research question is what are the diplomatic and security effects of the drug war in Mexico on United States and Mexico relations? Is the United States doing enough to help Mexico in a war that has diplomatic, economic, and security implications for two nations that share more than a common border? The past interaction between Mexico and the United States may affect current diplomatic and security efforts to help Mexico succeed in the drug war. This paper applies a study of past diplomatic and security interactions to identify issues that hinder finding an appropriate solution that addresses the concerns of both nations in the drug war. Solutions for this ill structured problem need to address Mexico's sovereignty and the United States' desire to prevent spillover violence into the Southwest Border States.

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This thesis is dedicated to the men and women in the United States Armed Forces and Inter-Agencies serving the American people and to our strategic partners in Mexico who also serve to defend their people; it's both our nations' war.

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ACRONYMS

CRS	Congressional Research Service
DEA	Drug Enforcement Agency
DHS	Department of Homeland Security
DTO	Drug Trafficking Organizations
GOM	Government of Mexico
JOE	Joint Operating Environment (USJFCOM Biennial report)
NAFTA	North American Free Trade Agreement
PAN	Partido Accion Nacional. [National Action Party. Center-Right Mexican Political Party]
PF	Policia Federal. [Federal Police]
PRD	Partido de la Revolucion Demoractica. [Democratic Revolution Party. Leftist Mexican Political Party]
PRI	Partido Revolucionario Institucional. [Revolutionary Institutional Party. Right Wing Mexican Political Party]
SEDENA	Secretaria de la Defensa Nacional [Secretariat of National Defense – Executive cabinet position. Director is Mexican Army General]
SEMAR	Secretaria de la Marina [Mexican Naval Secretariat–Executive cabinet position which commands Mexico’s Naval and Marine forces. Director is Mexican Navy Admiral]
USAID	United States Agency for International Development
USJFCOM	United States Joint Forces Command
USNORTHCOM	United States Northern Command

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CHAPTER 1

INTRODUCTION

U.S. and Mexico border security issues are extremely complex and intertwined. None of those issues can be solved unilaterally or without the cooperation of the other country.

— Rand Corporation, Security in Mexico

The Problem

Mexico and the United States share more than a common border. The two countries share an intermixed culture and they share economies that depend on one another and affect each other. As next door neighbors the events that take place in Mexico have diplomatic, economic, and security effects on the United States and vice versa. The historical interaction between Mexico and the United States links the two countries; yet the diplomatic and security interaction have been lopsided towards the United States. Actions designed to improve Mexico's State capacity, and why it benefits the U.S. to assist Mexico, will be discussed later in succeeding chapters.

As the drug war in Mexico intensifies, these events will have diplomatic and security effects on the relationship between the two countries. Diplomatic and security interaction between the two countries is frequently influenced by security incidents in Mexico. Drug war incidents have started to spill over into the United States, posing a significant security concern for the United States, in what is called "spillover violence."

Primary Research Question

The thesis question will look at what are the diplomatic and security effects of the drug war in Mexico on United States and Mexico relations? The diplomatic and security

areas are impacted by the current drug war situation in Mexico. The impacts of diplomatic and security interaction have drastic and immediate effects on the interactions between Mexico and the United States.

Secondary Question

In order to answer the primary question it will be necessary to look at three of the current issues affecting U.S. and Mexico relations. These three issues are: (1) What are the effects of the “failed-state” label on Mexico/U.S. relations, (2) What is the difference in the change of operational methods of the current drug trafficking organizations (DTOs) in Mexico today compared to those who operated from the 1980s-1990s, and (3) What are the effects or potential effects of “spillover violence” on the Southwest border region of the United States?

An appropriate perspective of the “failed-state” label can be used to assist Mexico in the improving areas where its government services are deficient. Mexico overcoming deficiencies in its police and judicial institutions are of strategic concern for the United States. The history of the U.S. and Mexico and their interaction makes the drug war in Mexico a significant and strategic concern for the United States.

The second portion of the secondary question will analyze how and what made the drug trafficking organizations (DTOs) change between the 1980s and today. The shifting of drug trafficking routes onto Mexican territory made more profits available for the drug cartels. Whereas in the 1980s the Mexican DTOs were willing to bribe Mexican government entities today the DTOs challenge the validity and credibility of the State to provide security and services to multiple parts of the country.

The third subcomponent is the effects, or potential effects, of “spillover violence.” An increase in drug war violence could trigger “spillover violence” and cause significant migrations of refugees from the drug war into the United States. What is the current U.S. Government definition of “spillover violence?” and is it appropriate and measureable?

Tertiary Question

A tertiary question will look at the type of assistance being provided to Mexico and to determine whether that assistance will be sufficient and timely? The current assistance programs of the Department of State (DOS) and Department of Defense (DOD) may need to focus on assisting Mexico in the rebuilding of the Mexican police and judicial systems. Mexico needs to restructure these institutions in order to turn the tide against the DTOs. Improving the capability of these two components of the Mexican state is among the goals of the Mérida Initiative. This makes improving the capability of Mexico to provide for its own security strategically important to the United States in order to prevent or minimize the spreading of drug war violence into the United States.

The United States and Mexico: A Historical Review From 1821 to 1945

In order to understand the reluctance of Mexico to openly allow U.S. law enforcement and military personnel in Mexico a review of the history between the two nations is appropriate. Mexico obtained its independence from Spain in 1821. The Northern territories of Mexico were sparsely populated and so the Mexican government invited foreigners to settle.

The government of Mexico welcomed settlers into the territory of Mexico from 1824 to 1836. The Northern region of what is now Northern Mexico and the Southwest

states were lightly populated by Mexicans during this time frame. The Mexican government of the time sought to develop the area economically with the help of foreigner settlers.¹ Between 1824 and 1836 the Government of Mexico granted land to American settlers. In 1836 the Texas settlers revolted and declared independence in what became the Texas Revolution. Texas won its independence and eventually joined the United States in 1845. This action led to a border dispute that became one of the triggers of the U.S. and Mexican War of 1846-1848.²

In 1846-1848 the United States and Mexico fought the Mexican War over a dispute of the Southern boundary. General Zachary Taylor's army invaded from Texas into Northern Mexico in 1846. Major General Winfield Scott's army landed at Vera Cruz on March of 1847 and marched on the Mexican capital.³ U.S. forces captured and occupied the Mexican capital after its surrender on 14 September 1847.⁴ The war ended in 1848 when the occupation army departed Mexico City after the ratification of the treaty of Guadalupe Hidalgo by both governments.

The Treaty of Guadalupe Hidalgo of 1848 officially ended the war but the boundary disputes remained. After the U.S. threatened the use of military force to decide the issue; Mexico accepted \$10 million dollars under the terms of the Gadsden Purchase. The Gadsden Purchase of 1854 settled the border issue along the agreed border accepted today. This territory was needed to complete a railroad line across Southern Arizona in the area of what is now Tucson.⁵ Once again the United States had forced its will on Mexico fueling resentment. As stated by Griswold-Del Castillo the Treaty of Guadalupe-Hidalgo was not violated by the United States after its ratification, it was ignored outright

in the 20th century with multiple U.S. interventions in Mexico.⁶ The Mexican resentment of U.S. intervention is therefore well founded.

The Mexican representatives designated to sign of the Treaty of Guadalupe-Hidalgo were said to represent the feeling of Mexicans when they signed the treaty. The U.S. representatives and Mexico's representative felt humiliated signing a document to legalize an illegal land seizure. The U.S. representatives signing the treaty were said to have felt ashamed for having to accomplish their designated task.⁷ The signers of the treaty were challenged by the need to make the treaty acceptable to both of their respective national governments.

A few years later the Mexican government made an effort to be diplomatic and cordial with the United States at the time of the election of Abraham Lincoln. In William M. Wilson's article "Lincoln's Mexican Visitor" he related how Mexico under Benito Juarez made a diplomatic and economic overture to the United States. Mexico's Diplomatic Economic Proposal of 1860 was aimed at President Elect Lincoln. In this proposal Mexico sought economic integration with the United States. According to Wilson, President Lincoln tried to help Mexico diplomatically with the appointment of Tom Corwin, who had argued against the war with Mexico, as Ambassador. Unfortunately history took an unfortunate turn for both countries as the United States become involved with its civil war and Mexico defaulted on European loans and suffered from foreign occupation.⁸

In 1914, U.S. forces become involved with Mexican federal forces following a misunderstanding caused by a language barrier at Tampico, Mexico. U.S. sailors were detained by Mexican federal troops. The United States responded by demanding an

apology and a 21-gun salute.⁹ The demand for a gun salute to the U.S. colors on a Navy ship was carried out by Rear Admiral Mayo, the commander of the task force, without consulting his chain of command. The United States used the incident as justification for taking action that led to the Vera Cruz landing of 1914 when the 21 gun salute was not rendered. U.S. forces had been stationed off the coast of Tampico, Tamaulipas to protect American citizens and oil industry investments in 1914.

Following the Tampico incident, U.S. Naval forces move to and occupied the port of Vera Cruz for approximately 6 months. President Woodrow Wilson asked the U.S. Congress for authorization to send U.S. forces to prevent General Huerta, President of Mexico at the time, from receiving arms and ammunition and deprive his government of customs revenue.¹⁰ The incident concluded after a 6 month occupation and was quickly forgotten as the outbreak of World War I took over the news headlines.¹¹

The next U.S.-Mexico diplomatic and security incident was the Pancho Villa raid on Columbus, New Mexico. The United States was involved in the movement of Carranza troops, on U.S. railroads, who were then used to defeat Villas' forces.¹² The Wilson administration had been looking to support a Mexican government that could be stable and provide security. The U.S. government supported Carranza against Villa. As a result, on 9 March 1916, Villa's force crossed the border looking for supplies. 17 American civilians were killed in the raid. Villa's force lost almost 50 percent of an approximately 500 strong raiding party.¹³ After Villas' raid American public outrage led to the Punitive Expedition into Mexico led by BG "Black Jack" Pershing.¹⁴ After a yearlong pursuit the expedition failed to capture Pancho Villa but did succeed in preventing further raids into the United States by Villa.¹⁵

During World War II the United States and Mexico become temporary allies. German and Japanese activities were of great concern to the United States. The Mexican government at the time of did not want to commit to a joint defense commission out of concern that its internal opponents would see the deal as selling Mexico's sovereignty.¹⁶ Mexico did provide the 201st Expeditionary Fighter Squadron under American command in the Philippines during World War II. This squadron was composed of all Mexican personnel and flew P-47 Thunderbolts with Mexican insignia on the tail of the aircraft.¹⁷

The Drug War: Timeline

This portion of the thesis research will use a chronological review of prior drug war interaction with a focus on diplomatic and security interaction between the United States and Mexico. The time periods for reviewing the impact of the drug war are the time periods of the early 1900s -2000, 2000-2008, and 2008 to the current time and possible future interaction between Mexico and the United States as Mexico's next presidential election approaches.

For the purposes of this thesis the period of 1900-2000 includes the historical background and origins of illegal, but highly profitable, alcohol, weapons, and drug trafficking. Mexican cartels started meeting American demands for illegal substances as far back as the early 20th century. After Prohibition was repealed in the United States the criminal elements in Mexico shifted to other merchandise like drugs that allowed them to make substantial profits. In attempts to intercept the flow of drugs into the U.S. American law enforcements agents started operating in Mexico.

Security and law enforcement cooperation between both countries suffered a major setback in the mid-1980s with the kidnapping, torture, and killing of DEA agent

Enrique “Kiki” Camarena Salazar.¹⁸ The killing of Camarena still represents one of the lowest points in diplomatic relations and security cooperation between the United States and Mexico. During the search for Camarena the U.S. Customs agency used economic pressure, with the thorough search of commercial traffic out of Mexico, until Mexican authorities “found” and turned over the remains of agent Camarena.¹⁹ The act of closing the border in order to pressure Mexican authorities to move faster in the investigation and search for Camarena demonstrated the inefficiency and impracticability of attempting to inspect all commercial and private traffic between the United States and Mexico.

During the period of the Cold War the United States was not as pre-occupied with the drug war in Mexico; as far as either government was concerned. According to Russell C. Crandall the United States pretty much ignored Mexico up to the end of the Cold War; since the drug war so not as intense as it is today.²⁰ Up until 1990 the United States was mostly concerned with the Soviet Union during their confrontations during the Cold War. The end of the Cold War was about to end and change the focus of US diplomacy. June Beittel in her Congressional Research Service (CRS) report points that the best and basic description of the cooperation efforts between the U.S. and Mexico can be explained “In the 1980s and 1990s, U.S.-Mexico counternarcotic efforts were often marked by mistrust.”²¹

The second time period is 2000-2008. This is the declared start of the Mexican government’s current war with the drug cartels or drug trafficking organizations (DTO). In 2007, the current Mexican president, Felipe Calderon, declared war on the drug cartels of Mexico and sent the Mexican Army (SEDENA), Navy (SEMAR), and Federal Police (PF) forces into many parts of Mexico. The main efforts included the areas of Northern

Mexico that border the United States. The goal was to restore Mexican government authority in areas where drug trafficking organizations have been operating with increasing violence and relative impunity.

One distinction that must be made is that the drug trafficking organizations in Mexico are not an insurgency. In contrast the 1994 uprising by the Zapatista army in Chiapas, which was a short lived insurgency, since that movement attempted to replace the Mexican government in the state of Chiapas.²² The DTOs, with the exception of the La Familia DTO, are not attempting to replace the Mexican government; they are merely seeking to continue their operations in the highly profitable narcotics business with as minimal government capability directed against them. The DTOs do seek to marginalize and prevent the Mexican government to the point where the business operations of the DTOs will not be interfered with. The old Mexican cliché of “*Plata o Plomo*”; which translates to money or lead (bullets), The previous choice given to Mexican government, judicial, and security officials to take bribes or be killed by the DTOs has been replaced by outright intimidation and challenge to Mexican state authority.²³

The U.S. and Mexican drug violence, economic, and diplomatic effects are occurring next door and have the potential to create “spillover” violence. This is a significant concern for the Southwest Border States along the Mexico and U.S. border. Acts of spillover violence now involve U.S. law enforcement and civilians who are also potential victims when criminal or terrorism occurs in close physical proximity from drug cartel elements or gangs that operate and work for the cartels.

These criminal elements such as Mara Salvatrucha, or MS-13, engage in kidnapping, auto theft, and targeted killing of drug cartel enemies within the United

States. The actions carried out by the criminal elements include incidents such as U.S Border Patrol agents coming under fire from both sides of the Mexican border during direct pursuits or monitoring of incidents. Spillover incidents also include Mexican government forces or drug cartel members physically crossing into the United States or gunfire from Mexico into the U.S.

The third time period is from 2008 to 2012. The primary concern of 2012 will be the outcome of the Mexican presidential campaign. As the 2008 United States Joint Forces Command (USJFCOM) Joint Operating Environment (JOE) report stated this time period will likely make or break Mexico as a state.²⁴ This incident caused a diplomatic protest from the Mexican government. In a dramatic and noticeable change of focus the 2010 JFCOM JOE report no longer makes any mention of Mexico, or any other specific countries, being or having the potential to become a failed state.

This change took place in the 2010 JOE report even though no progress has been made in the situation in the drug war in Mexico since 2008.²⁵ Mexico is no longer labeled as a failed-state or candidate to become a failed state. The change of focus for JFCOM was a factor of the diplomatic influence by the protest of the Mexican government. The cosmetic change of a description of a diplomatic incident had no strategic changes on progress made by the Mexican government in its war on the drug cartels.

Limitations

The history of Mexico and the United States stretches back from the founding of both nations; however only a brief period was analyzed with emphasis on highlighting the most recent incidents that have a closer and immediate impact on diplomatic,

economic, and security interaction between the United States and Mexico. Access to Mexican records was limited to public access information sources.

Significance of this Research

Will the drug war in Mexico pose significant diplomatic and security challenges for both Mexico and the United States? What happens in Mexico affects both nations diplomatically, economically, and in security relations. The Southwest border poses the threat of illegal immigration, drug, and weapons trafficking. This thesis can assist the reader better understand the complexity of the situation. This thesis will cover the majority of policy interaction between the U.S and Mexico and how these policies can be improved to meet diplomatic and security policies to benefit both countries.

¹Krystyna M. Libura, et. al., *Echoes of the Mexican-American War* (Toronto: Groundwood Books, 2004), 19.

²K. Jack. Bauer, *The Mexican War: 1846-1848* (New York: Macmillan Publishing Company, 1974), 244.

³*Ibid.*, 321.

⁴Richard Griswold Del Castillo, *The Treaty of Guadalupe Hidalgo: A legacy of Conflict* (Norman, OK: University of Oklahoma Press, 1990), 59.

⁵*Ibid.*, 175.

⁶Josefina Vazquez Zorida, *Causes of the War with the United States: Dueling Eagles: Reinterpreting The U.S.-Mexican War, 1846-1848*, ed. by Richard V. Francaviglia and Douglas W. Richmond. Translated by Douglas W. Richmond (Fort Worth: Christian University Press, 2000), 60.

⁷*Ibid.*

⁸William M. Wilson, "Lincoln's Mexican Visitor," *New York Times* Blog, entry posted 17 January 2011, <http://opinionator.blogs.nytimes.com/2011/01/17/lincolns-mexican-visitor/> (accessed 18 January 2011).

⁹Jack Sweetman, *The Landing at Veracruz: 1914* (Annapolis, MD: United States Naval Institute, 1968), 35.

¹⁰*Ibid.*, 164.

¹¹*Ibid.*

¹²Matt M. Matthews, *The US Army on the Mexican Border: A Historical Perspective* (Fort Leavenworth, KS: Combat Studies Institute Press, 2007), 66.

¹³*Ibid.*, 67.

¹⁴John S. D. Eisenhower. *Intervention! The United States and The Mexican Revolution, 1913-1917* (New York: W.W. Norton and Company, 1993), 301.

¹⁵*Ibid.*, 68.

¹⁶Maria E. Paz, *Strategy, Security and Spies: Mexico and the U.S as Allies in World War II* (University Park, PA: The Pennsylvania State University Press, 1997), 62.

¹⁷*Ibid.*, figures 9-15.

¹⁸Elaine Shannon, *Desperados: Latin Drug Lords, U.S. Lawmen, and the War America Can't Win* (New York: Penguin Group, 1988), 228.

¹⁹*Ibid.*, 213.

²⁰Russell C. Crandall, *The United States and Latin America after the Cold War* (Cambridge: Cambridge University Press, 2008), 213.

²¹June, S. Beittel, *Mexico's Drug-Related Violence* (Washington, DC: Congressional Research Service, 2009), 2.

²²Shannon, 21.

²³Jordie Diez and Ian Nicholls, *The Mexican Armed Forces in Transition* (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, January 2006), 25.

²⁴U.S. Joint Forces Command, *2008 Joint Operating Environment* (Norfolk, VA: Joint Forces Command, 2008), 36.

²⁵U.S. Joint Forces Command, *2010 Joint Operating Environment* (Norfolk, VA: Joint Forces Command, February 10, 2010), 47, 48.

CHAPTER 2

LITERATURE REVIEW

Push the traffickers and they will kill you. Don't push them and they grow so powerful and fearless that they kill you.

— Elaine Shannon, *Desperados: Latin Drug Lords, U.S. Lawmen, and the War America Can't Win*

The history between Mexico and the United States in relation to the modern Drug War provides enough applicable material is available for the time periods listed in this thesis. The drug war in Mexico has seen an escalation in violence and has become a higher threat to both Mexico and the United States since the decades of the 1980s and 1990s. The higher threat impacts U.S. and Mexico diplomatically, economically, and in security actions. In part due to economic stagnation and corruption in its government and law enforcement sectors, Mexico finds itself battling well-funded, armed, and politically connected drug trafficking organizations and battling for state survival.

The threats from the ongoing drug campaign is a contributing factor to the higher threat posed by the drug trafficking organizations who are easily able to influence or intimidate Mexican government entities at various levels of government and in numerous parts of Mexico. As Mexico continues to fight government corruption and the drug trafficking organizations, it faces the possibility of over-extending itself, or in a military term culminating, and risks becoming a failed state. The success of Mexico's fight has security and economic implications for both nations.

1st Time Period: 1900-2000

Maria Celia Toro, of the College of Mexico, in her book *Mexico's "War" on Drugs* documents the beginning of Mexican drug, illegal substances, and weapons smuggling into the U.S. since the early 1900s. Toro's main points, from Mexico's view, are the continuous violation of Mexican sovereignty by the United States, U.S. unilateral actions about drug, weapons, and immigration policies and the diplomatic disregard of Mexican views/needs by the United States. The main goal of U.S. unilateral actions has been to pressure Mexico into stemming the drug flowing into the United States.

Toro also argues that Mexico's own internal and frequently misguided drug policies have not helped Mexico achieve any parity with United States policies. For example, Mexico also attempted its version of Prohibition, which only resulted in the increase in drug profits for the illegal drugs and alcohol traffickers. Toro points out that during the Mexican Revolution of 1910-1920 some Mexican Revolution leaders attempted to placate U.S. policies out of a desire to keep the U.S. from intervening in the Revolution.

A key point made by Toro is that when the U.S. government put drug traffickers in the same category as terrorists it went into "self-help" mode in dealing with the drug traffickers and left Mexico out of the planning and execution of its campaigns in the war on drugs. This U.S. government change in terminology made criminals into terrorists and changed criminal activity into national security threats.

Toro also covers the early history of the drug war. Toro's describes how from the time of the Mexican Revolution various Mexican presidents were also concerned with similar topics as the current Presidents have been. Weapon smuggling into Mexico was

one result of the illegal trafficking between the U.S. and Mexico since the time of the Mexican revolution. Toro also states that Mexico tried to ban illegal drugs and alcohol in an attempt to placate the U.S government who was trying to enforce Prohibition. This time period in U.S. and Mexico relations resulted in Mexican dealers providing illegal substances due to the high profits available. Similar to today, one of the main Mexican concerns back in the early 20th century was to keep U.S. law enforcement and military troops out of the country.

Since the 1920s, Mexican organizations started to cater to the American demand for alcohol from the beginning of Prohibition. After Prohibition was repealed in the United States the demand for illegal services changed to drugs, prostitution, and weapons trafficking. Robert Grayson in *Mexico: Narco-Violence and a Failed State?* one of the most current books in the field of study covering the drug war in Mexico and its associated violence provides historical background on the origins of the drug war and the Mexican drug trafficking organizations. Drug trafficking continued from the 1930s to the 1950s with Tijuana and Mexicali being the main points of entry for illicit substances into the United States. In the 1960s and 1970s, marijuana became popular and the American demand allowed the illegal drug and alcohol traffickers to remain in business and make a profit. The inability of the U.S. to trust and treat Mexico as an equal partner caused disparity during the 1980s U.S. declared “war on drugs.” U.S. policies became unilateral when the effects for both nations were not.

Elaine Shannon in *Desperados: Latin Drug Lords, U.S. Lawmen, and the War America Can't Win*, one of the more detailed books written about the drug war, covers the time period of the 1980s-1990s. Shannon indicates that one of the reasons the U.S

was not as focused on the drug war during this time frame was the preoccupation with the Soviet Union until the collapse of the Soviet Union in 1989. Shannon also describes the kidnapping and murder of DEA agent Enrique Camarena in 1985, which is still considered by many as the lowest point of U.S. and Mexico diplomatic and security relations. Furthermore, according to Shannon, the U.S. did not help improve diplomatic relations with the subsequent kidnapping of Humberto Alvarez, a Mexican doctor, suspected of being involved in the kidnapping and torture of Camarena.

Throughout her book Shannon compares the Colombian and Mexican experiences in their respective drug wars. The Colombian cartels also challenged the authority of the Colombian state. The willingness of the Colombian government to extradite cartel members fueled the intense Colombian cartels fight against the government. Multiple high level Colombian military, police, judicial, and legislative members were killed in attempts by the Colombian cartels to intimidate the Colombian state. This direct challenge to the state was not seen in Mexico until the recent intensification of the drug war following President Calderon's assault on the drug cartels in 2007. The Mexican DTOs conduct campaigns of terrorism; hence the term narco-terrorism is often heard, with the campaigns aimed at intimidation of the Mexican people and state.

Shannon also described how Colombia was more willing to cooperate and allow American law enforcement and military activities in its territory. Colombia did resent some American diplomatic and economic policies but this did not inhibit cooperation between the two nations. Colombia did not have such a paranoid sensitivity to American involvement in the drug war or its internal security measures when compared to Mexico's

historical animosity and sensitivity since the days of the Mexican-American war of 1846-1848.

Synopsis of Colombia's and Mexico's Drug Wars

Based on Elaine Shannon's book a synopsis comparing Colombia's and Mexico's fight against drug cartels follows. This synopsis is made for illustration purposes and could be separate thesis on its own. This comparison is made to inform the reader that the solution for Colombia's drug war does not necessarily apply to Mexico's drug war. The diplomatic and security environments are different in Colombia and Mexico for the United States.

Colombia has waged war with its own drug cartels such as the Medellin and Cali cartels from the early 1980s. The fight looked bleak for quite a few years for Colombia but the country has made a recent resurgence in re-asserting state control over its territory. While comparison is useful in the drug wars of Colombia and Mexico a comparison can be misleading. These two wars are both describe in Shannon's book *Desperados* and Colombia's integrated response is described by Thomas Mark in his article "Colombia: Learning Institutions Enable Integrated Response."

Among some of the differences in the two drug wars, as described by Shannon, were that Colombia's National Police force did not suffer from corruption to the level of its Mexican counterparts. The Mexican government is considering eliminating its current local/state level police agencies. The Colombian national government also did not suffer to the same degree of corruption. This is highlighted by Shannon with the listing and description of the multiple killings of high ranking Colombian police, politicians,

military, and judicial officials. Mexican politicians and government officials have been killed in its drug war but not to the degree of Colombian officials.

The Colombian government has been more willing to allow American law enforcement and military forces to operate in Colombia. A significant difference in the Colombia-Mexico drug war was the role of the Colombian National Police. The Colombian National Police did not suffer corruption or infiltration to the degree of the Mexican Directorate of Federal Security (DFS), the Agencia Federal de Investigacion (AFI), or local/state police agencies.

The Colombian armed forces did match their Mexican counterparts in keeping the state from failing. A second similar and important distinction is that the current Mexican government has said no to negotiating and co-existence with the drug cartels, as did the government of Colombia. The Mexican response to the fight against the drug traffickers will be a combined police, judicial, and military response in Mexico as it was in Colombia. The Mexican government is currently opposed to any American military intervention in the drug war as stated by Mexican President Calderon in March of 2009.

Colleen Cook in her CRS article, “Mexico’s Drug Cartels” provides a listing of the current drug trafficking organizations. She lists 7 major drug trafficking organizations (The Gulf, Sinaloa, Tijuana, Juarez, Colima, Oaxaca, and Valencia). The Los Zetas cartel, originally composed of 30-40 deserters from the Mexican Army’s Airmobile Special Forces Group, started as an enforcer gang working for the Gulf cartel and are now working as their own separate drug trafficking organization. These re-energized drug cartels operate roughly over the entire territory of Mexico. Figure 1 on page 54 illustrates the area of operations for the Mexican DTOs.

Cook reports that the Zetas gang also trained a second major enforcer gang “La Familia Michoacána”—commonly referred to as “La Familia” -the family-. La Familia has now in turn become a major drug trafficking organization. La Familia DTO operates mainly from the state of Michoacán, but is branching out to other areas of Mexico seeking drug corridors into the United States. La Familia originally started as a vigilante gang focused on wiping out the consumption in methamphetamine in the Mexican state of Michoacán.

The group started trafficking in the drugs to make money. The group believes in trafficking but not in the consumption of drugs. The La Familia enforcer/trafficking gang was seeking to provide security for the population in place of the Mexican government but has become involved in other trafficking operations which includes methamphetamine drug production/trafficking, kidnapping, and protection fees for legitimate business to operate in the state of Michoacán. The methamphetamine trafficking has become an increased security threat to the United States as the drug is easier to distribute like cocaine due to its compact form. The high value of the drug also makes trafficking in weapons and money easier for La Familia.

In a recent public awareness campaign the La Familia Michoacána, offered, and was rejected, by the Mexican government to disband if the Mexican government would provide security for the citizens of the state of Michoacán. This story was published in an article dated 25 November 2010, “Mexico: Mayor with drug cartel links goes missing” by Manuel De La Cruz of the Associated Press. In the article the gang had dropped leaflets and distributed narco-banners in cities around the state of Michoacán making the offer to the government to disband. La Familia went on and posted “Narco-banners” (example of

Narco Banner Appendix B) stating it was angry the GOM would not acknowledge its offer to disband and agree to negotiations. The Mexican government stated it would not negotiate with criminals or terrorists.

In combination with the corruption of the Mexican police and legal systems some of the drug cartels have become their own non-state entities. La Familia, as previously stated, is an example. Today it frequently rivals the Mexican government in being able to provide basic services to municipalities similar in comparison to what Hezbollah can do in Lebanon.¹

One of the reasons for the increased flow of drugs through Mexico is that since the mid-1980s the successful interdiction of cocaine trafficking through the Caribbean Sea has forced drug traffickers to seek new routes. The *Agora* magazine staff, a US NORTHCOM publication, in the article, “Crushing the Caribbean Connection” describe how this successful interdiction reduced the flow of drugs transiting through the Caribbean Sea. As a result the Colombian drug cartels adjusted their routing to go through Mexico. This is one of the reasons the flow of drugs and violence has greatly increased in recent years as the various Mexican drug trafficking organizations compete for control of the drugs and transit routes or plazas. The successful operations in the Caribbean did not stop the flow of drugs it merely shifted the problem to a heavily populated area which increased the potential for violence.

¹Mark Silverberg. *Lebanon's Hezbollah Dilemma*, <http://www.hudson-ny.org/1479/lebanon-hezbollah-dilemma>.

2nd Time Period: 2000-2008

The second time period of this thesis covers the literature of the period from 2000 to 2008. Clare Seelke in her CRS report “Mérida Initiative for Mexico and Central America: Funding and Policy Issues” describes the set up and goals of the Mérida Initiative. The Mérida Initiative provides funding, seeks accountability of that funding, and sets measures of performance for continued aid. The act includes agreement as to what both sides must do to combat the drug war. The main U.S. pledges are reducing weapons trafficking, addressing drug demand, and bulk cash smuggling. Mexico for its part pledges to reform the law enforcement and judicial sectors and protect human rights.

The Mérida Initiative is the major U.S. government assistance program to Mexico. This program was initiated in 2008 to provide assistance for Mexico to improve its government, courts, and police forces. The Mérida initiative covers various funding areas to assist Mexico to improve its criminal justice system, drug interdiction efforts, and its law enforcement and military forces. This assistance to the Mexican government and its armed forces seeks to assist Mexico turn the tide in the war. The aid provided under the Mérida Initiative does place accountability requirements on the Mexican government such as improvements in its human rights record. This aid is administered mainly by the Department of State.

The Mexican government needs the Mérida Initiative equipment now according to the 26 March 2009 LA Times newspaper article “Clinton: U.S. shares blame for Mexico’s Ill’s” by Ken Ellingwood. This article was referencing Secretary of State Hillary Clinton’s comment that the United States shares in Mexico’s drug related violence. Ellingwood also mentioned the Mérida Initiative and describes a brief

description of the support provided to Mexico. In Ellingwood's article the pledge of 5 Blackhawk helicopters are mentioned as being part of the assistance provided under the Mérida Initiative.

For example, the Mexican armed forces are effective against the drug cartels but they are known to be heavy handed with cartel members and civilians alike. In recent actions President Calderon has sought to make the Mexican armed forces subject to Mexican civilian criminal courts. This proposed legislative action is in support of requirements under the Mérida initiative for accountability of the security forces. Mérida provides the first agreement that both sides have implemented bilaterally with effective controls and measures of effectiveness. Further agreements or expansion of this agreement would benefit from following the format.

Mexican President Felipe Calderon has put the pressure on the drug cartels launching an armed assault in 2007. The questions remains will the effort be enough to defeat the cartels and will it be coordinated with assistance from the United States. As the *Agora* magazine illustrates in an article, "The Cockroach Effect", according to the article the current fight against the cartels by the Mexican government produces the cockroach effect where the drug cartels scatter to other areas when the SEDENA, SEMAR, and the Policia Federal (PF) strike. Without U.S. assistance in training, funding, and equipment the Mexican government will be hard pressed to contain and eradicate the cartels. The risk of spillover violence will increase specially for the Southwest border area.

In recent years the drug war's violence has escalated; especially in areas near the U.S-Mexico border. Casualties in the drug war on the Mexican side include multiple government officials. These types of attacks undermine the credibility of the Mexican

state. Failure to protect its people and its staff is a serious credibility problem for the GOM. The drug cartels are powerful enough to challenge the Mexican judicial, law enforcement, and armed forces.

June Beittel also adds in her CRS report “Mexico’s Drug Related Violence” that the drug cartels may not be directly looking to bring down the GOM; just to intimidate it enough to remain unhindered as they conduct their lucrative drug operations. Since the drug cartels pose a threat to the sovereignty of Mexico via intimidation of Mexican state institutions such as the police, prosecutors, and courts the solution is to re-enforce these institutions according to Beittel. The constant assault, corruption, and intimidation make these institutions subject to corruption and intimidation.

The GOM complains that the aid pledged under Mérida is taking too long to arrive. Mexico needs to get the equipment and funding since they need all such assistance to counter drug violence; which is at an all-time high since 2007 with no decline in sight. This is a legitimate concern for the Mexican government that requires expediting the procurement and delivery process for the equipment pledged to Mexico. George Grayson in his book *Mexico: Narco Violence and Failed State?* also mentions the need to enhance the Mexican Air force’s capability to defend against drug courier aircraft. The Mérida initiative provides helicopters but no fixed wing fighters for the Mexican Air Force. The Mexican air force is said to be in need for improving its fighter planes, training, support, and improvements to its integrated air defense system.

As previously mentioned, citizens of both nations have been killed in numbers too staggering to contemplate. By recent open source media accounts over 28,000 Mexican citizens have been killed from 2007 to 2010. The *Los Angeles Times* updates a section on

its webpage titled “Mexico Under Siege: The Drug War at Our Doorstep”. The running tally for deaths in the drug war was 28,228 as of 29 November 2010.

American citizens have also been killed in recent years, not in such numbers as Mexican citizens, but American citizens have been killed on both sides of the border. According to Scott Stewart of STRATFOR, a private American intelligence company, roughly 150 American citizens have been killed since 2009. Stewart highlights the deaths of members of the American consulate in Ciudad Juarez and the killing of David Hartley in his article “The Falcon Lake Murder and Mexico’s Drug War.” The Juarez killings, according to STRATFOR, were reported as being a warning to American authorities to back off.

The killing of Mr. Harley was publicized by the American media as new and rare, but as Scott Stewart argues this is not the first case. The killing of David Hartley took place on Falcon Lake on the Mexico-Texas border on 30 September 2010. Stewart and Grayson both acknowledge the main difficulty in counting the casualties in the drug war is difficult because of the tendency of the Mexican cartels to dispose of the victims’ bodies which prevents recovery of the remains and therefore confirmation of deaths.

One of Mexico’s biggest complains is the failed state label applied in the 2008 U.S. Joint Forces Command (USJFCOM) Joint Operating Environment (JOE) report. The United Nations does not provide a definition of a failed state. The definition of a failed state used in this thesis was obtained from the International Committee of the Red Cross. The definition is found in the article by Daniel Thurer “The failed state and international law.” According to Thurer, the “failed” state definition consists of three components: (1) the implosion of the governing entity which leads to the power and authority

disappearing, (2) the political aspect; which is mainly the collapse of a governing entity's ability to provide law and order, and lastly (3) the inability of a governing entity to represent itself internationally.

Actions such as the U.S. JFCOM JOE report of 2008 inhibit government policies from other departments or agencies designed to assist Mexico. This is an example of where the actions of one government entity, DOD, counter what other U.S. government agencies are trying to accomplish. For example, as the Department of State was executing the setup of the Mérida Initiative in 2007 and 2008 DOD, via JFCOM, publishes the 2008 JOE. Actions such as this cause diplomatic incidents that cause the Mexican government to doubt how serious the U.S. is in helping Mexico. Coordination between American government entities can eliminate actions such as the 2008 JOE report from taking place and damaging relations with a critical ally and neighbor.

June S. Beittel in a CRS report titled "Mexico's Drug-Related Violence" also highlighted the 2008 JFCOM JOE report and mentioned the same symptoms that led to the "failed state" label. In the follow up 2010 JOE report Mexico's main obstacle is described as being the challenge posed by non-state actors; the drug cartels. The failed state label has been removed from the description of Mexico's current struggle with the drug cartels in the 2010 JFCOM JOE report.

3rd Time Period: 2008 and the Future

The literature for this period points that the challenges in the diplomatic, economic, and security cooperation areas will remain difficult. The areas of commerce, agriculture, and government remain intertwined between the U.S. and Mexico according to Edgar Ruiz in his article "Shared Borders" in *Agora* magazine. As economic

downturns take place in Mexico this affects the United States with increased illegal immigration into the U.S. It is therefore of benefit for the United States to assist Mexico economically as much as possible. This is a factor that makes the Mérida Initiative more responsive to Mexico's overall needs in other areas besides the drug war and drug interdiction operations.

A significant consequence of a potential Mexican state collapse is the creation of "ungoverned" areas in Mexico; as has been seen in countries such as Afghanistan, Somalia, and the Russian region of Chechnya. The Southern part of Mexico, the Mexican state of Chiapas, has the potential to become an ungoverned area from the threat of the Zapatista Liberation Army; this may pose a security threat to the United States that has not been seen before. In Angel Rabasa's *Agora* article "New World Disorder" he points out that the Southern part of Mexico in and around the Mexican state of Chiapas could become problematic. This area not only poses the continued security threat of drug cartels but also potential terrorist staging areas for Mexican rebels.

Robert Grayson's in *Mexico: Narco-Violence and a Failed State?* uses the analogy of the Partido Revolucionario Institucional (PRI) party being compared to how the Catholic Church operates. The Partido Accion Nacional (PAN) won a heavily contested election in 2000 and replaced the PRI as the ruling party. The religious analogy continues as Grayson describes how the PAN came along, gradually built power, and finally knocked down the establishment; similar to the Protestant reformation. Grayson mentions the support provided to the PRI and to the actual Catholic Church in Mexico by the drug cartels. The drug cartels also provide assistance to poor communities that the Mexican government does not provide. This has made the narco-traffickers semi-

acknowledged power players with the two major domains of the country; the old ruling political party and the Catholic Church.

Although initially enthusiastically supported by the people of Mexico the drug war has dragged on and made the people wish for the days when they could live in peace even with tacit acknowledgement of the interaction between the Mexican government and the drug trafficking organizations. Among Grayson's main points are that Mexico displays characteristics of a failed state. One of the main points is how the drug traffic organizations intimidate the police and judicial personnel. When the drug traffickers are jailed they make a mockery of the Mexican legal process by being provided plush cells with access to drugs, women, and their business operations.

One of Robert Grayson's examples of loss of control of the GOM is from the Sinaloa cartel of Joaquin "El Chapo" Guzman. This cartel has been brazen enough to have shut down a town, land six private jets on a public street, and hold an overnight wedding party. The Mexican Army (SEDENA) did not arrive until next day when the party was over and the DTO had departed. Grayson describes how DTOs have corrupted all levels of the Mexican government to include military and high level prosecuting personnel. Grayson adds that DTOs have managed to infiltrate the Mexican president's inner circle.

Robert Grayson also add in *Mexico: Narco Violence and Failed State?* that the U.S government likely influenced Forbes magazine to include Joaquin "El Chapo" Guzman Loera, head of the Sinaloa cartel, in its list of the richest and most powerful people in the world. This was designed to pressure the GOM to pursue "El Chapo." This pursuit has so far been unsuccessful in leading to the capture of "El Chapo."

The pivotal point for corrective actions, according to Grayson, will depend on which party wins the 2012 Mexican Presidential election. A return of the PRI party would likely result in an unofficial cease fire and co-existence of the Mexican State, a *modus vivendi*, with the drug cartels similar to the previous time period before the PAN party took power in 2000. The winner of the 2012 elections will also have diplomatic and security effects for the United States.

A victory by the PAN (National Action), according to Grayson, would likely continue the war on the cartels. A PRI or PRD (Partido de la Revolucion Democratica) [Party of the Democratic Revolution] win could potentially lead to an unofficial ceasefire with the DTOs. This ceasefire scenario would imply that the United States will continue to face drug trafficking and spillover violence from Mexico. The best course of action is to improve the Mérida Initiative to assist the GOM in conducting a comprehensive rebuilding of its law enforcement agencies, judicial process, and increase its military capabilities.

Probable future courses of action are therefore more limited but with today's technology available from Internet, think tanks, private groups, and Government/Economic sources are available for immediate analysis. One critical area to monitor will be ongoing incidents from the drug war and their impact on the diplomatic, economic, and security interactions between the United States and Mexico; especially spillover violence and any large scale immigration exodus from Mexico into the U.S. along the Southwest border.

In 2009 the Rand Corporation published the monogram "Security in Mexico: Implications for U.S. Policy Options." Agnes Gereben Schafer, Benjamin Bahney, and K.

Jack Riley authored the monogram. The main points for their study stated that the focus of U.S-Mexico interaction needs to be based on a mutual and bilateral strategic partnership. Neither of the two nations can afford to go it alone in the drug war. The resources are not available for either nation. The assistance of Mexico based on the Mérida Initiative is good but needs to be focused on more than material assistance. Material assistance can and does have immediate effects on the war on drugs but in order for both nations to gain security they have a vested interest in cooperating.

Schafer, Bahney, and Riley also point that the use of the Mexican armed forces is currently appropriate due to them being the most respected and least corrupted force. The end state for Mexico is to rebuild its local and state police and its judicial systems. U.S. interagency aid is available but needs to be focused on this “Institutional rebuilding.” The demands for respectful and bilateral cooperation will be great and challenge the patience of both nations. Due to the complexity of the issue involved and interwoven cultures neither nations can ignore the needs of the other.

Recently published theses from the United States Army Command and Staff College were also used as sources for this thesis. The first thesis reviewed was written by Davis R. Campbell entitled “Evaluating the Impact of Drug Trafficking Organizations on the Stability of the Mexican State” in June of 2010. Mr. Campbell’s thesis was from an American law enforcement agency perspective. The main conclusion of Mr. Campbell is that the Mexican state is unlikely to fail, that Mexico is likely to return to one party rule where drug trafficking is tolerated, and unless U.S. drug consumption is address no progress is likely to be made in the drug war.

Mr. Campbell's thesis does mention the issue of corruption at the local levels and the need to focus on assisting the Mexican law enforcement and judicial sectors. A critical issue to be resolved will be the people of Mexico choosing peace and corruption over the continued violence in the drug war. Mr. Campbell also mentions the Mexican sensitivity and the need to cooperate in country as issues to address in fighting the war on drugs.

STRATFOR published a 2010 review titled "Mexico and the Cartel Wars in 2010." This article written by Scott Stewart summarizes the activities of the drug war. According to Stewart's article the war is no longer confined to a few areas of Mexico but has spread all across the country. This places pressure on the GOM to spread out its armed forces and dilutes their strength. The report also documents the key capture and killing of many cartel leaders such as Ignacio "El Nacho" Coronel of the Sinaloa cartel, Edgar "La Barbie" Valdez Villareal of the Beltran-Leyva Organization, and Nazario "El Mas Loco" Moreno Gonzalez of La Familia.

2010 saw the drug war in Mexico escalate as drug related violence continued to increase despite GOM victories. The violence has Mexican citizens seeking a return to peace and co-existence with the drug cartels. This desire for peace at any cost is due to the perceived inability of the GOM to defeat the cartels or reign in corruption with the local and state security forces.

Jaoquin Villalobos, a former Salvadoran leftist rebel turned political advisor, wrote 12 myths about the drug war in Mexico. His argument is that a free and democratic society should not give into these myths and admit defeat. These myths present a problem for Mexico and the United States. One of Villalobos' main points confirms that the

problem of the drug war expanded when the United States started having success in the interdiction of drugs through the Caribbean Sea routes.

Myth # 1 about not having confronted the Narcos is dangerous for the State of Mexico since “dual sovereignty” as exemplified by the La Familia in Michoacán is unacceptable to a democratic society. For example even though using the military is not desired (Myth # 11) Mexico has no choice but to use the SEDENA and SEMAR due to the systematic corruption in the local and state level police forces. The AFI and PFM, which were disbanded shortly after being formed and even today the current Policía Federal, continue to struggle to remain a viable and credible law enforcement institution.

Myth # 6 (Attacks by the Narco’s prove they are powerful) can be accepted as being true. The Narcos are powerful, well-armed, and funded. Here lies the complex problem for Mexico and the United States. The overall effects of the drug war are felt by both countries. The United States has a strategic interest in assisting Mexico with many aspects of the Mexican State such as law enforcement, judicial, and military forces. As is seen in previous American conflicts the DTOs are using the Southwest border as a sanctuary because U.S. law enforcement and military forces do not have pursuit agreements with Mexico.

The twelve myths are presented below, translated from the Mexican Magazine Nexos.² The English translation of the 12 myths was translated using *LA Times*/Google.³

²<http://www.nexos.com.mx/?P=leerarticulo&Article=72941> (accessed 17 January 2011).

³<http://latimesblogs.latimes.com/laplaza/2010/10/joaquin-villalobos-felipe-calderon-mexico-drug-war-advisor-salvadoran.html> (accessed 17 January 2011).

1. "We should not have confronted organized crime."
2. "Mexico is Colombian-izing and is in danger of becoming a failed state."
3. "The intense debate over insecurity is a sign of its worsening."
4. "Deaths and violence is a sign that we are losing the war."
5. "Three years is a long time, the plan has failed."
6. "Attacks by narcos prove they are powerful."
7. "Let's first do away with corruption and poverty."
8. "There are powerful politicians and businessmen behind narco-trafficking."
9. "The only way out is to negotiate with the narco-traffickers."
10. "The strategy should guide itself to the legalization of drugs."
11. "The military's participation is negative and should be drawn back."
12. "The fastest and most effective end to crime is the pursuit of justice by its own account."

As seen in the National Geographic Channel television show "Border Wars" DTOs can return to Mexico if pursued by U.S. law enforcement and cannot be apprehended once they are back across the border into Mexico. This is due to the fact that there are no cross border pursuit agreements in place. The DTOs are also intermingling drug smuggling with illegal immigration making it more difficult for U.S. law enforcement to differentiate and defend their agents while they operate along the Southwest border.

The episode "Death on the Rio Grande" demonstrated the diplomatic issues faced by the Border Patrol since illegal immigrants cannot be apprehended on the U.S. side of the river. The episode "Falcon Lake Murder" demonstrated the danger of "spillover

violence” which can make victims out of ordinary civilians as well as law enforcement personnel. This episode re-enacted the killing of David Hartley reportedly by the Zetas drug gang.

Dr. Hal Klepak of the Canadian Defense and Foreign Affairs Institute (CDFAI) wrote an August, 2010 monogram entitled “Mexico: Current and Future Political, Economic and Security Trends.” Dr. Klepka also mentioned Mexico’s challenge with the “failed state” label. Canada, Mexico, and the United States share the challenges posed by Mexico’s drug war in diplomatic, economic, and security situations. The challenges posed to Mexico by the drug cartels also affect the economic activities for all three countries.

The CDFAI also recommends Canada’s version of assistance to Mexico which is similar to the United States; this are designed to assist Mexico rebuild its local police and state security forces, rebuild its judicial systems, and also assisting the Mexican armed forces gain the advantage over the DTOs in order to make the institutional building possible. The CDFAI also addresses he challenges faced by the Mexican armed forces in attempting to maintain law and order in a democratic society. The Mexican armed forces enjoy the popular support of the Mexican people but the longer they stay involved in law enforcement duties to more susceptible they will be to corruption.

CHAPTER 3

RESEARCH METHODOLOGY

Can Felipe Calderon take back his country from the drug cartels and reduce the flow of narcotics into the United States?

— George W. Grayson,
Mexico: Narco Violence and Failed State?

The research methodology used in this thesis is narrative research with a focus on qualitative research and some elements of quantitative.¹ According to Creswell narrative research is both a qualitative product and a method.² This research method will be used to conduct an analysis of existing and emerging data in reference to the ongoing drug war in Mexico. The purpose is to analyze the effects of the past policies on today's operating environment in terms of diplomatic and security cooperation between Mexico and the United States. The drug war is a modern challenge to both the United States and Mexico due to the links, not only as next door neighbors, but the cultural, diplomatic, economic, and security links. Quantitative research was incorporated in areas where actions can be recorded and measured such as in determining the effects of "spillover violence", the number of attacks and effects of those attacks can be used to measure the effectiveness of current Mexico and U.S. diplomatic and security policies.

According to Creswell the use of narrative research is a mode of inquiry with a specific focus on telling a story.³ The drug war is a story with strategic impact and an ill structured problem for Mexico and the United States. This methodology will pose the questions listed as the primary research question, secondary, and tertiary questions to gather, analyze and determine what the effects of the drug war are on Mexico and the United States.

Strength and Weaknesses of this Research

The benefit of qualitative research is the availability of multiple sources of documents from Canada, Mexico, and the United States. All of these nations have a vested diplomatic and security interest in the ongoing drug war. One of the reasons for Canada to be concerned is the potential for Canada to become the next theater of operation for the drug cartels if the U.S. manages to interdict the overland route drug flow from Mexico. Another benefit of qualitative research is that it allows for a bottoms-up review of the problem due to the availability of multiple sources. A third benefit is that it allows for a holistic approach to review data not only from the government sources mentioned above but by multiple think tanks, commercial news sources, private consultants, and security companies. Sources for this thesis spanned the time frames mentioned in the thesis. Sources, Mexican and U.S., were as current as possible with the understanding that the operational environment changes frequently making sources outdated but still valid for analysis.

A strength of this thesis is the elimination of the language barrier that other authors had been unable to overcome. Analyzing the Mexican view of the drug war and its diplomatic and security implications provides an “outside the box” method to process the information obtained during the research and reduce an American biased toward the effects of the drug war. The historical review of U.S. and Mexico interaction adds a perspective on what causes Mexico to be suspicious of U.S. actions and policies.

Limitations of the narrative research method are the objectivity of the sources. While government sources dominate the preponderance of the sources independent sources provide a counterbalance to the government bias. The rapid pace of changing

events in the drug war also makes extensive academic sources difficult to keep current. Newspapers (print or online) were used for illustration of key points with a balance of multiple sources to reduce the bias of each source. Multiple Mexican and U.S. sources from various mediums (electronic, print, television, government and commercial sources) were used to obtain information and provide a neutral analysis. Where possible the author of this thesis reviewed and translated information from Mexican sources for an attempt to glimpse the Mexican Government, Mexican people, and drug cartels view of the drug war.

This thesis will relate past and current interactions and their effect on the diplomatic and security relations between the United States and Mexico. A review of the past and present diplomatic and security incidents, as they relate to how the two nations have dealt with each other, have, and will continue to influence how the United States and Mexico cooperate to deal with an explosive threat now and in the immediate future. The desired solution to the drug war may possibly be impaired by the actions of the past. The Mexican resentment to U.S. involvement in Mexico may potentially never be eliminated.

This research methodology will present a review of applicable and available data from public information sites, think tanks, intergovernmental agencies, and the Department of Defense among other U.S. government agencies. Information was also researched from the Mexican perspective for an attempt to see their view of the drug war in their country and its relations with the United States.

The Primary Research Question in this Thesis is: What are the Diplomatic
and Security Effects of the Drug War in Mexico
on United States and Mexico Relations?

The primary research question will look at the historical diplomatic and security impacts on U.S. and Mexico relations. This data will be evaluated to determine where those results have left the U.S. and Mexico and whether the mistakes of the past can be set aside in order to address a critical issue that threatens the security of both nations today. The drug war will have high impacts on the diplomatic front. Diplomatic and security issues of the past and present continue to influence cooperation in fighting today's drug war. Overcoming the past can assist in formulating joint Mexico and U.S. cooperation policies along the lines of the recent Mérida Initiative.

The historic U.S. dominance in interaction with Mexico, since the beginning of the founding of both countries, has left Mexico defensive and resistant to any U.S. presence, law enforcement or military, in Mexican territory even when it is designed to help both nations. A synopsis of the major U.S. and Mexico diplomatic and security interactions is included in chapter 1 of this thesis to assist the reader in understanding the root causes of Mexican and United States interactions.

A chronological approach will be utilized to review data from the time periods of the 1900s to 2000, 2000 to 2008 and 2008 to the current time frame. These three time periods allow for the acquisition of a manageable data and categorization of that data for diplomatic and security interaction that is current and applicable to the relations between the United States and Mexico.

The 1900 to 2000 time period reviews the origins of the drug trafficking between Mexico and the U.S. Mexican organizations started meeting the U.S. demand for illicit

drugs and services. This demand has continuously evolved based on U.S. society's demand for particular items. This time period is designed to assist in gaining a perspective of the origin of drug trafficking and compare its change with the modern drug war.

The period of 2000 to 2008 illustrates the significant changes in the operational methods for the modern Mexican DTOs. The most significant action of the DTOs being the outright challenge to the State versus attempting bribery. This time period also marks the most significant change in the security policy of the Government of Mexico when President Calderon declared war on the DTOs.

The third time period of 2008 to 2012 attempts to analyze the potential impact of the intense drug war in Mexico and how its rapid change makes coordinating diplomatic and security policies difficult in addition to the Mexican sensitivity caused by prior U.S. policies and unilateral actions. In addition the 2012 Mexican election has the potential to impact Mexico and U.S. diplomatic and security cooperation.

The first step in this methodology is to review the events from the early 1900s to 2000 in order to obtain a baseline of the status of previous U.S. and Mexico diplomatic and security relations. This review will seek to answer what were the effects/results of the U.S. efforts to assist Mexico during the 20th century. The results of this early time period may also assist in determining a baseline from where to improve security cooperation between the two nations today.

The Secondary Research Question Looks at Three Issues Affecting Diplomatic and Security Relations

The three current issues selected for this thesis will be analyzed in addition to the primary research question for their impact on past and current diplomatic and security interaction. These three issues are (1) Mexico's sensitivity to the "failed-state" label, (2) the change in operational methods for the Mexican Drug Trafficking Organizations, and (3) the effects of spillover violence.

The Failed-State Label

The second step in this methodology is to review the recent actions of both the U.S. and Mexican governments as the drug war has intensified and review how their respective actions have affected the drug war and their relations. Mexico launched its war on the drug cartels in 2007 but how close is it to achieving its end state or is it close to failure as a state unable to govern/control its territory? What actions by the United States government have benefited the security situation of both countries?

One of the main challenges for the GOM is to overcome the sensitivity to the failed state label and prevent that sensitivity from impacting solutions that would benefit both nations. The DTOs will continue to exploit the rift between Mexico and the U.S. to prevent cooperation that would have the DTOs caught between "the hammer and the anvil." The Mexican assault has placed pressure on the DTOs but the Northern border acts as a safe have since the push from the U.S. side does not progress beyond monitoring the border with no direct coordinated action from the U.S. side.

The Drug Trafficking Organization: Changes in Operational Methods Then and Now

The operating methods of today's drug cartels are different compared with the drug cartels of the recent past (1980s +). The primary difference in terms of trafficking was the move from marijuana to cocaine due to its higher profitability. The drug trafficking organizations of the 1980s were also more willing to bribe or intimidate Mexican government and police officials living under the culture of "plata o plomo."⁴ The DTOs of today are directly challenging the existence of the Mexican State to provide effective security to the people of Mexico. The direct challenge to the Mexican State is one of Dr. George Grayson's main points in his *Mexico: Narco Violence and a Failed State?*⁵ The drug cartels goal is to marginalize the GOM as to prevent interference in their lucrative operations. The DTOs do seek to enjoy the fruits of their labor from services provided by a functional state.

Spillover Violence

Spillover violence has the potential to become one of the most significant trigger points for U.S. government actions. Spillover violence can be analyzed using quantitative methods since crime reporting by U.S. law enforcement agencies is more accurate and acceptable than Mexican crime reporting. The analysis can be used to determine the influence of spillover violence on American public opinion in terms of demands for security along the Southwest border.

The number of incidents of "spillover violence" can be measured to analyze a decrease, increase, or no changes and as well as being able to tell if the crimes are becoming more violent and who is targeted in those crimes: i.e. American civilians,

security agencies, government officials, or if it is DTO on DTO violence. An increase of gruesome crimes on the U.S. side of the border would likely lead to an American public demand for increased law enforcement resources or direct American action into Mexico. Acts of spillover violence are likely to remain minimal by DTOs to prevent American reactions such as the Punitive Expedition that would interfere with their ability to operate in drug trafficking and other illegal activities.

A review of existing and emerging interagency and open source data, using the recent time periods listed, will allow for a concise and appropriate data review. The outcome of the intensified drug war will likely have immediate and lasting impact on the relations between the people and governments of Mexico and the United States. The impact on both nations can only be minimized or mitigated by both nations working together. For as listed in the opening of this thesis both nations share more than just a common border.

Last this thesis will ask the questions: is the assistance provided to Mexico by the U. S. sufficient and what is the strategic significance of assisting Mexico? The main focus of the Mérida Initiative is to assist Mexico with financial and material resources to disrupt the DTOs and enhance Mexican law enforcement/judicial capabilities.⁶ The police and judicial systems of Mexico are the two state entities that are under assault by the drug trafficking organizations and their security thugs.

These two state symbols represent the center of gravity for the Mexican government; whereas the Mexican armed forces (SEDENA and SEMAR) are the critical capability to disrupt and neutralize the DTOs. The GOM is caught in a dilemma as to

whether to focus on neutralizing the DTOs or rebuilding its state institutions. The operational tempo of the drug war prevents the GOM from doing both.

As the police and judicial sectors are two of the most important recipients of assistance under the Mérida Initiative the police and judicial systems are the “doers” that will win or lose the credibility of the Mexican State to safeguard its citizens in the long run. Assistance to the law enforcement and legal sectors of Mexico will reduce the likelihood of U.S. troops becoming involved in Mexico.

¹John W. Creswell, *Qualitative Inquiry & Research Design* (Thousand Oaks, CA: SAGE Publications, 2007), 234.

²Ibid., 10.

³Ibid., 53, 54.

⁴George W. Grayson, *Mexico: Narco-Violence and a Failed State?* (New Brunswick, NJ: Transaction Publishers, 2010), 29.

⁵Ibid., 179.

⁶U.S. Department of State, “The Merida Initiative: Expanding the U.S./Mexico Partnership,” www.state.gov/organization/158009.pdf (accessed 7 March 2011).

CHAPTER 4

ANALYSIS

The problem is in the hearts and minds of our citizens who desire this flight from reality, this escape.

— Ralph Milstead Director of Arizona Public Safety
1986 Congressional Testimony

The thesis question looks at what are the diplomatic and security effects of the drug war in Mexico on United States and Mexico relations? The current drug war situation in Mexico is having diplomatic and security impacts on U.S and Mexico relations. In addition the problem of illegal immigration creates complexity to the relations as DTOs branch out into smuggling illegal immigrants. This actions makes it more difficult for U.S. law enforcement to prevent and counter the inter-mixing their drug smuggling and illegal immigration which changes the danger to U.S. agents during operations.

In order to work together; both nations need to overcome the animosity created by the aftermath of the Mexican-American war and subsequent U.S. interventions in Mexico as described in the historical interaction section in Chapter 1 of this thesis. The resentment of the loss of Mexican territory is still present today as voiced a by former Mexican diplomat in the article “A View from the South.”¹ The GOM and people of Mexico understand that the lost territory will not be returned. The challenge in the drug war for both nations is to prevent that resentment from impairing solutions to a current and pressing challenge of the drug war to both nations.

As the drug trafficking routes changed in the mid-1980s the landscape of the drug war in Mexico changed. Max Manwaring estimates that between 60 to 90 percent of the

cocaine shipped from South America starting transiting through Mexico.² The resulting profits, estimated in the billions of dollars, led to increased violence as DTOs compete with each other for the traffic routes, or plazas, into the United States. The increased traffic makes the drug war a highly interactive diplomatic and security challenge for Mexico and the United States.

The Effects of U.S and Mexico Diplomacy

In 2008, U.S. JFCOM caused a diplomatic incident between Mexico and the United States with the publication of its JOE report for 2008. This U.S. Joint Forces command publication stated that due to the deteriorating drug war situation in Mexico, the Mexican state had a potential to fail. The collapse of Mexico as a viable state would make Mexico a security threat to the U.S.; which would also have significant diplomatic and economic effects. The report stated that this situation would require an “American response based on the serious homeland security situation.”³ This U.S. Government report was not appreciated by the GOM prompting a diplomatic protest over the “failed state” label.

2009 saw continued diplomatic friction between the U.S. and Mexico. The first incident involved the protest from Mexican law makers over the nomination and eventual appoint of the U.S. Ambassador nominee to Mexico Carlos Pascual.⁴ Mexican law makers were against Ambassador Pascual’s nomination because they saw Ambassador Pascual as someone who had been appointed as ambassador to other “failed/failing states” in his previous postings. While the nomination was not directly tied to the war on drugs it does provide an example of the U.S. government not always treating Mexico as an equal partner.

The Ambassador's nomination issue took place a year after the infamous 2008 JFCOM JOE report. Despite the protest of the Mexican lawmakers the U.S government proceeded to confirm and appointed Carlos Pascual as U.S Ambassador to Mexico in 2009. In order to achieve a mutual and beneficial working environment the American government needs to avoid the mistakes of the past and treat Mexico as an equal partner and respect the concerns and needs of Mexico. The resentment between the two nations that started back with the Mexican-American war will not be helped by actions such as the 2008 JOE report and the Ambassador's nomination; as both nations seek to cooperate in diplomatic and security issues today.

In another significant diplomatic interaction between the United States and Mexico in 2009, the President of Mexico, Felipe Calderon, rejected any possibility of conducting joint U.S. and Mexico military or law enforcement operations against the drug cartels inside Mexico.⁵ This statement was issued at a press conference in London between President Calderon and Prime Minister Gordon Brown of the United Kingdom as reported by *El Universal* newspaper of Mexico on 30 March 2009. According to President Calderon there is no possibility of joint military operations now or in the future.⁶ This action allows the DTOs to in effect have a sanctuary on the U.S. side of the border since American military action into Mexico is highly unlikely; with the exception of increased law enforcement operations on the U.S side of the border.

As recent as 9 February 2011 Mexico once again filed a diplomatic protest over remarks made by Undersecretary of the Army Joseph Westphal.⁷ The Undersecretary had stated the United States would need to send American troops into Mexico to prevent the cartels from replacing the GOM. The Undersecretary had labeled the cartels an

insurgency. The insurgency charge was promptly condemned by the GOM. By appropriate definition an insurgency group seeks to replace the government of the state they are challenging. The Mexican DTOs seek to marginalize the GOM to prevent interference in their lucrative drug trafficking operations and not to replace it.

The 2010 JFCOM report removed the “failed-state” label from its JOE report. This change was made while acknowledging that Mexico has severe challenges to its internal security environment. The 2010 reports proposes more cooperation and recommended points to work on jointly with Mexico to change the security situation.⁸ These points are similar to those found in the Merida Initiative.

The Mexican government considers or would consider the presence of American troops as an infringement of its national sovereignty. In the London press conference the Mexican president went on to blame the lifting of the U.S. assault weapons ban as a contributing factor for the increase in violence and increasing power of the drug trafficking organizations. President Calderon also blamed the consumption demand for illegal drugs in the United States as an additional contributing factor to the increased drug trafficking and violence.

The lifting of the assault weapons ban and the U.S. consumption of illegal drugs are frequent sources of diplomatic friction between both the U.S. and Mexican governments. The U.S. government charges that Mexico does not attempt to discourage illegal immigration. This statement is discussed in Jan C.Ting’s article “Immigration and National Security” where Ting states that due to the economic benefit the GOM does not discourage Mexican from illegally immigrating to the U.S. The Mexican people know American law enforcement cannot detain everyone so they keep trying to come to the

United States in search of employment and a better life.⁹ Due to the lack of employment opportunities many Mexicans risk crossing into the United States for what is perceived as better economic opportunities. The Mexican government does not discourage the illegal immigrants due to the fact that those who are employed send back remittances, estimated at up to 24 billion dollars a year, to their families and so infuse American dollars into the economy.¹⁰

The Mexican Government and the Failed-State Label

As mentioned by George W. Grayson in his book *Mexico: Narco-Violence and Failed State?* Mexico is not necessarily a failed state but it does have significant challenges.¹¹ According to Grayson the people of Mexico do not trust the police and justice system due to the level of corruption and intimidation among these institutions. For this reason the GOM has been forced to use SEDENA, SEMAR, and PF in carrying the fight to disrupt and neutralize the drug cartels. The people of Mexico trust their armed forces more than any other state institution.

The drug war is not just Mexico's problem it's a problem for the United States and even Canada.¹² Rightfully so the GOM is extremely sensitive to the fail state label. This sensitivity has the potential to negatively impact agreements between the North American continent neighbors. The Mexican government is also seen as being challenged by the Canadian government. The three countries of the North American continent are interdependent in diplomacy, economic, and security matters.

The Canadian think tank CDFAI also sees Canadian government assistance as institutional rebuilding in addition to material and military assistance. Canada has supported Mexico's efforts to improve its police and customs officials by providing

training via the Royal Canadian Mounted Police.¹³ The Canadian government sees assistance to Mexico as critical for the overall security of the continent and so has a vested interest in assisting Mexico alongside the U.S.¹⁴ In addition Canada has the potential to become the next ingress route for drug trafficking into North America. The recommend assistance to Mexico in the drug war calls for all three nations becoming involved in developing the police, judicial, and security assistance to Mexico.¹⁵

The long term solution is also seen by the CDFAI as support to rebuild the above mentioned Mexican state institutions since a government cannot provide governance if civil security does not exist. The people of the state will not seek help from the police and justice system if they cannot trust them to protect them from crime or from reprisals from the DTOs for reporting crimes. The United States and Canada seek to assist Mexico in its immediate goal to disrupt the DTOs in order to build its police and justice system.

The U.S. Government via the Department of State has created a means to help Mexico and other countries that are categorized as failed or failing states.¹⁶ The office of Coordinator for Reconstruction and Stabilization is the U.S. Government's agency that leads the effort to assist other countries improve for the benefit not just for the neighbors but of the global diplomatic, economic, and security efforts. One key item to remember for U.S. agencies working with Mexico or other countries is be objective and sensitive to the cultures they are working with.¹⁷

Mexico is able to represent itself internationally but it does have a deficiency in providing law and order in various parts of the country. The critical component in dealing with Mexico is not to pin the tail or "failed state" label on Mexico; but for the U.S. government to recognize where to help Mexico and why it is imperative for the U.S. to

help Mexico. The increased capability of the Mexican law enforcement, judicial system, and military capability would help stem the flow of drugs into the United States.

This increased Mexican state capability can also help reduce spillover violence; which has continued to claim the lives of thousands of Mexican civilians and hundreds of Americans civilians on both sides of the shared border. One of the main charges from the Mexican government is that the U.S. government does not do much to curb drug consumption. Americans charge that Mexico's government and security services are corrupt and so are hesitant to invest money in economic and security assistance.

Lieutenant General Guy C. Swan III, during a lecture to the Command and General Staff College, stated that the Mexican government currently does not allow any of three active American anti-drug task forces to operate in Mexico. These task forces are the Joint Task Force North (focused on Southwest border drug interdiction), Joint Task Force South (focused on Latin American drug interdiction), and the Joint Inter-Agency Task Force-South (focused on Caribbean drug interdiction). This, according to Lieutenant General Swan, is due to the Mexican government's sovereignty concerns over allowing armed American agents to operate in Mexico.¹⁸

The United States Army Joint Task Force North participates in the 3 drug interdiction interagency task forces but, like active duty U.S. armed forces is limited by U.S. law in what it can do. National Guard forces, under their respective state governor's command, can support law enforcement but overall American forces are prohibited from pursuit into Mexican territory. All three drug task forces work closely with military forces but are limited to what can be done inside of Mexico. The task forces are focused

on drug interdiction, but based on current diplomatic conditions none of the task forces are able to operate in Mexico.

The 2012 Mexican Election and its Diplomatic and Security Effects

The 2012 Mexican presidential election has the potential to have security implications for the United States such as the 1940 election that decided the Mexican stance in World War II.¹⁹ According to Paz, the 1940 election was critical to the United States due to the sensitivity of the Southwest border and the amount of Axis activities in Mexico. The success of a Mexican government in the near future will continue to be a diplomatic and security concern for the U.S. in the drug war as it was back at the outbreak of World War II. The Mexican presidential election of 2012 has the potential to impact the diplomatic and security status between the United States and Mexico.

The Partido de la Revolucion Democratica (PRD) party in its current party program (platform)—programa del partido—dated from its 3 to 6 December 2009 party conference seeks to fight corruption and improve government accountability under item # 36 of this current platform. Under item # 68 the PRD seeks to reform the judicial system from the top down starting with Senate confirmation of Supreme Court justices and making legal services available to all who need it. Item # 71 references the Mexican Armed forces, for which the PRD seeks to restructure the salaries of Armed Forces personnel, and the PRD seeks to make the Mexican Air Force a separate branch of the Armed Forces.

The Partido Revolucionario Institucional (PRI) seeks to regain the presidency in 2012 and based on recent gains looks as the probable winner. The PRI party platform for

2009-2012 highlights economic and social improvements and public safety. Furthermore the PRI seeks to improve law enforcement, the judicial system, and security forces. The PRI specifically highlights the threat posed to the State by drug trafficking and criminal organizations. The main threat identified by the PRI platform is the hindrance of Mexico's economic and social development by the DTOs. From the PRI's perspective the justice and security institutions are outdated and must be revamped. The PRI criticizes sectors of these State entities of being loyal and "patronizing" to individuals and not to the State and the people of Mexico.⁴

In 2009, the PRI gained 184 seats in the chamber of deputies, and in conjunction with an allied party, gained an absolute majority in the chamber of deputies. Overall since 2007-2009 the PRI has been making a return to prominence among the Mexican political establishment. Of significance is the fact the PRI party platform does not explicitly mention the ongoing war on drugs in Mexico at all. The PRI electoral gains will make it impossible for President Calderon to push significant reforms through without serious concessions to the PRI-if the PRI feels like negotiating at all.

The Partido Accion Nacional (PAN) party platform highlights its continued fight on the war on drugs. The PAN has incorporated multiple security related changes such as adding thousands of university educated police officers, reactivating the San Luis Potosi Police Academy for Federal and local police training, and improved technology incorporations into public security areas. The PAN also highlighted improvements to the judicial areas. Among the Armed forces the PAN seeks to continue improving human

⁴Author's translation of page 104 of PRI 2009-2012 Party Platform.

rights and civil-military interaction improvements as the Mexican Armed forces continue to bear the lead in the fight against the DTOs.

As the three main political parties in Mexico align their party platforms for the 2012 presidential election the major points were balanced with maintaining Mexico's sovereignty. Whichever party wins the election will have a different effect on diplomatic and security interaction with the United States. The PAN is likely to continue the drug war while the PRI and PRD are likely to reach a modus vivendi with the DTOs as used to exist when the PRI ruled since the Mexican Revolution and drug trafficking shared the same unofficial acceptance as did illegal immigration.

The Drug Trafficking Organizations

The current Mexican drug trafficking organizations areas of influence (operations) are depicted on the following map.

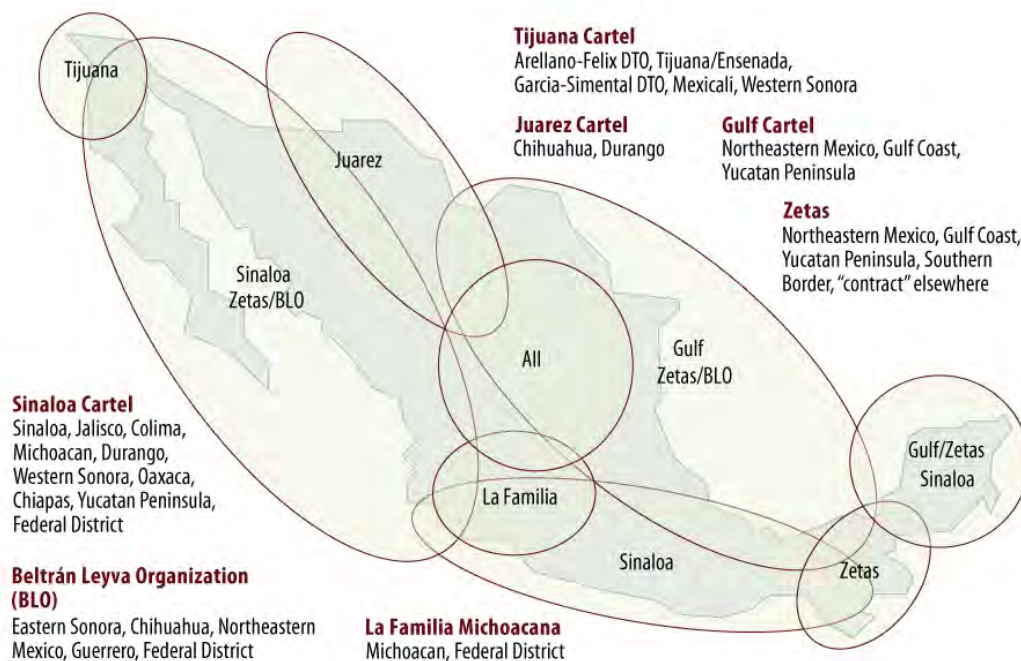


Figure 1. Mexican DTOs Area of Influence

Source: June, S. Beittel, *Mexico's Drug-Related Violence* (Washington, DC: Congressional Research Service, May 2009), 7.

Mr. Greg Williams of Orbis Operations, during a lecture to the Command and General Staff College Class 11-01, described the Drug Trafficking Organizations operating in Mexico today as highly capable of command, control, and communications of their operations, as well as being a direct challenge to Mexican state authority with their military capability.²⁰ According to Mr. Williams the DTOs are capable of funding their operations, obtaining and using highly restricted military technology such as rocket-propelled grenades, hand grenades, heavy caliber weapons, and even use car-bomb techniques such as those being faced by American forces in Iraq and Afghanistan. The cartels of today not only pose a threat to the effectiveness of the Mexican State, they also

pose a diplomatic challenge for Mexico and the United States as the DTOs are able to operate throughout North America.

La Familia Michoacána is one example of the modern drug trafficking organizations that broke the “plata o plomo” paradigm. Prior to 2007 DTOs made deals with the government whereas the modern DTOs challenge the authority of the State. George Grayson in a 2010 monogram “La Familia Drug Cartel: Implications for U.S.-Mexican Security.” Grayson states La Familia has created “dual sovereignty” in many parts; if not all of Michoacán.²¹ Between 11 to 14 July 2009 the Mexican government was unable to enter Michoacán due to attacks on Mexican federal police and armed forces. The only entry was via the equivalent of a “thunder run,” the heavily armed runs by the U.S. Army into Najaf, Iraq on 1 April 2003.²² The challenge to state power makes the DTOs of today an increased danger to the Mexican state and pose diplomatic and security issues for the United States.

In providing employment and public services DTOs such as La Familia solidify the concept of “dual sovereignty”. According to Grayson, La Familia provides order, influences business, politicians, and performs civic functions such as repairing churches.²³ These actions make the modern DTOs, such as La Familia, attractive to the poor people who will have no alternatives but to side with the DTOs for mere survival.

Hal Brands, in a 2010 monogram on Guatemala, describes the effects the drug traffickers have had on the situation in Mexico. All of the drug cartels have managed to fight off a government assault due to their ability to fund themselves and exploit state institutions such as corrupt police and government officials. The only DTOs that have been neutralized or eliminated, such as the Tijuana and Juarez cartels, have fallen victim

to rivals such as the Sinaloa and Los Zetas, and not to the GOM's efforts. The dedication of over 40,000 Soldiers and Police has not stopped the violence in Mexico from spreading to multiple parts of the country and it has not ended the violence caused by the DTOs.²⁴

The Los Zetas DTO has become especially dangerous because of their military training. This DTO operates from as far North as the US/Mexico border to Guatemala. In Guatemala Los Zetas have taken in Kiabiles, former Guatemalan Army Commandos to not only increase their operational capability in Mexico but infiltrate and create safe havens in Guatemala.²⁵ According to Max Manwaring what makes entities such as the DTOs so effective is that through their stated goal of neutralizing the government the people have no one to turn to for protection.²⁶

The DTO seeks to marginalize the authority of the state to prevent interference in their highly profitable trade. What the DTOs seek to prevent is what Manwaring says is a completely failed state.²⁷ The DTOs need to be able to operate and conduct transactions in an established and functional state to meet their operational expenses, resupply themselves and enjoy the fruits of their labor.

As enforcement along the U.S. Southwest border improves the DTOs will continue to seek alternative methods to bypass interdiction efforts. The volume of commercial and private traffic between Mexico and the United States makes the thorough search of all traffic impractical. The implementation of North American Free Trade Agreement (NAFTA) allows the majority of commercial traffic to transit unchecked; except for an estimated 10 percent for random inspections. NAFTA inadvertently created

a security gap due to the high volume of commercial traffic that can be exploited by the DTOs for drug trafficking purposes.

In addition to traditional methods the DTOs will seek to refine alternate methods such as tunnels, low flying aircraft and ships.²⁸ According to Time Magazine, since 2001, over 100 tunnels have been found between Mexico and the United States.²⁹ The volume of drug traffic makes continuous refinement of techniques for the DTOs a profit generating necessity. The Mexican government's 2009 report on fighting drug trafficking layout the confiscation of over 261 boats and 344 airplanes as they combat the DTOs.³⁰

Spillover Violence

Spillover violence poses diplomatic and security problems for Mexico and the United States. This emerging concept is defined by the interagency community of the United States as violence that is deliberate and planned by DTOs against U.S. civilians, law enforcement, military, government officials, and installations such as government buildings, consulates, or businesses.³¹ The current Inter-agency definition of spillover violence does not include DTO on DTO violence even though it should according to Finklea et. al.³² By this definition the killing of two American consulate employees in Ciudad Juarez, Mexico was an act of "spillover violence" aimed at intimidating American and Mexicans conducting business with the American consulate in Juarez.³³

As mentioned in the Finklea's CRS study on Southwest border violence the current definition of spillover violence does not encompass DTO on DTO violence in the United States and so it becomes difficult to measure and analyze and be able to compare it against other criminal activity.³⁴ As illustrated in the murder of David Hartley on Falcon Lake the incident also pointed out the fact that there are no effective national level

security cooperation methods or agreements in place between the United States and Mexico.³⁵

As government officials in the United States worry more and more about “spillover violence” the likelihood of this increasing is not completely certain. As stated by an Arizona police chief “this would be bad for business for the DTOs”. The chief states the drug traffickers are businessmen and bringing increased violence into the United States would bring increased enforcement efforts on the DTOs from the North side of the border as well as the South side of the border.³⁶ Major Eric Ried also mentions the point that spillover violence is unlikely to occur much due to the negative effects on DTO operations from a U.S. government response. This point is found in Major Reid’s analysis chapter of his 2009 CGSC thesis.³⁷ Major Reid in his thesis stated that spillover violence was unlikely to be significant due to the DTOs objective of not provoking a significant American response. This response, if a significant American military response, would pressure the DTOs; putting them between “the hammer and the anvil,”

Spillover violence has occurred and will likely continue in limited amounts designed to prevent an American response. Spillover violence will be difficult to measure based on the current definition applied by the U.S. government. DTOs will likely continue to conduct “hits” on rivals, traitors, or other perceived enemies. The challenge for Mexico and the U.S. will be to identify who committed the acts and cooperate in their prosecution regardless of the location and target of the violence.

Actions such as the Falcon Lake, Texas murder of an American citizen are becoming more frequent and place public pressure of the American government to

dedicate resources to secure the border. This has the potential to impede cross border commercial traffic and increase the potential to trigger security incidents.

The map below (figure 2) represents to U.S and Mexico border where spillover violence represents the greatest danger to the security of both nations. The Mexican border communities that border the United States such as Matamoros and Brownsville, TX, Reynosa and McAllen, TX, Nuevo Laredo and Laredo, TX, Ciudad Juarez and El Paso, TX, Nogales and Nogales, AZ and Tijuana and San Diego, CA have been subject to drug war violence on the Mexico side of the border with the danger of spillover into the respective American communities.



Figure 2. Map of US Southwestern States and Mexican Northern States

Source: LTG Swan presentation to CGSC Class 11-01, Fort Leavenworth, KS, 2 December 2010.

Spillover violence against the first line of defense for the Southwest border has been increasing in the past years. Attacks on border patrol agents are increasing and do meet the interagency definition of “Spillover violence”.³⁸ The data, does not allow for filtering of the acts being committed by DTOs or resistance to arrest by illegal immigrants. With the intermingling of illegal immigrations and drug trafficking this becomes harder to differentiate. “Spillover violence” against U.S. security agencies such as the Border Patrol brings up the potential for diplomatic and security incidents such as when U.S. agents take fire from Mexico.

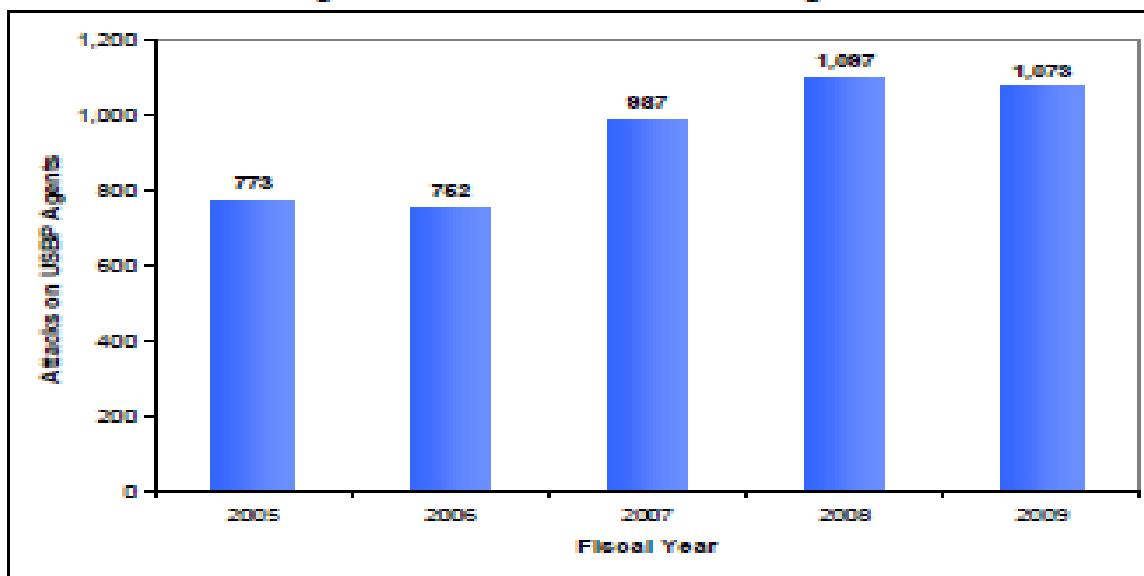


Figure 3. Attacks on Border Patrol Agents

Source: Chad C. Haddal, *Border Security: The Role of the Border Patrol* (Washington, DC: Congressional Research Service, August 2010), 29

In addition to “Spillover violence,” increases in illegal immigrations and possible refugee exodus are a possible side effect of “spillover violence.” One internal Mexican refugee situation took place on 19 to 22 November 2010 in Ciudad Mier, Tamaulipas.

This area is just a few miles across the river from Roma, Texas and Falcon Lake on the Texas-Mexico border. The town residents were expelled by drug traffickers and took refuge in nearby Ciudad Miguel Aleman.³⁹ This situation resulted from the ongoing turf battle between the Gulf Cartel and the Los Zetas gang as they battled for drug trafficking corridors.

Illegal immigration and its intermixing with drug trafficking also has the potential to increase as mentioned by Hal Brands.⁴⁰ Cartel turf wars that lead to mass refugee exodus or illegal immigration increases are potential diplomatic and security challenges. Incidents such as the Ciudad Mier pose a security and humanitarian challenge to the United States.

Is the Aid to Mexico Appropriate and Timely?

The answer to this thesis question should consider main components of the Merida Initiative and the historic diplomatic and security cooperation that was laid out in the plan. Elements of this plan can be enhanced in a combined manner by the U.S. and Mexican governments need to consider and integrate in order to generate better coordinate policies to combat the danger of the drug war. The end state for both Mexico and the United States should be cooperation to defeat a threat to both societies and both governments.

In an effort to improve the security situation the U.S. government has increased its support for Mexico in the drug war. One method of assistance is a program for economic and security assistance development via the Mérida Initiative of 2008. The Mérida Initiative was designed to assist Mexico with financial and material assistance to improve its law enforcement and security capabilities in the counter narcotics war.⁴¹ This

security improvement program is similar to the assistance provided to Iraq and Afghanistan for rule of law, security force assistance, and law enforcement development.

The Mérida Initiative involved unprecedented diplomatic coordination between the U.S and Mexican legislative, diplomatic, and security personnel.⁴² The Mérida program has been funded for 1.4 billion dollars over three years. The Mérida Initiative does attempt to enhance multiple U.S. government intergovernmental agencies efforts designed to provide better interagency coordinated assistance to Mexico. This type of security, judicial, and law enforcement improvement assistance is similar to the programs that the Mexican government stated it is working on in the 2009 report in response to the USJFCOM failed-state label.⁴³

This program seeks to assist Mexico in various areas such as criminal justice system improvement, economic development, and security assistance for increasing the capabilities of the police and professionalization of Mexico's military forces. The aid is tied to improvements of Mexican security forces, improvements of Mexican human rights, and accountability of funds expenditure.

The Mérida Initiative program funding follows.

Table 1. FY 2008 FY 2010 Mérida Funding for Mexico by Aid Account (in Millions)

Account	FY 2008 Supp. (PL 110- 252	FY2009 Bridge PL 110-252	FY2009 PL 111- 8	FY2009 Supp. PL 111- 32	FY2010 Request	H.R. 3081	S. 1434
ESF	20	0.0	15.0	0.0	0	20.0	10.0
INCLE	215.5	48.0	246.0	160.0	450.0	205.3	105.0
FMF	116.5	0.0	39.0	260.0	0	10.5	0.0
Total	320	48.0	300.0	420.0	450.0	235.8	115.0

Source: Clare R. Seelke. *Mérida Initiative for Mexico and Central America: Funding and Policy Issues* (Washington, DC: Congressional Research Service, 6). Notes: ESF Economic Security Fund; FMF Foreign Military Financing; INCLE International Narcotics Control and Law Enforcement.

The aid provided under the Mérida initiative is linked to the progress of the Mexican police and judicial agencies. The GOM is dual challenged to meet its security obligations. On one hand it must reform the police and judicial sectors while at the same time fight the drug cartels on a front that encompasses the entire country. The Mexican President has been forced to rely on the armed forces to fight the drug cartels.⁴⁴ Although not completely free of corruption the Mexican armed forces are more reliable and loyal to the state than the local and State police forces. Robert Grayson also argues that the Mexican armed forces are stretched to the limit and its equipment is lacking or it's out of date.

The Mérida Initiative denies aid to police or security agencies that are charged or confirmed to have committed gross human rights violations. The U.S. Secretary of State is required by the Mérida initiative to submit certification to the U.S. Congress of the progress of police/military units that are receiving financial support. The financial

assistance can be continued or provided if the security forces accused of human rights violations are being prosecuted by the applicable nation; since Mérida applies to other Central American countries in addition to Mexico. Financial assistance in cash payment is prohibited by the Mérida initiative.

One of the objectives of the assistance provided to Mexico under Mérida is to keep the matter a public security issue and move it away from a strictly military concern. These areas would likely need to be renegotiated between the U.S. and Mexican governments due to the intense commitment of the Mexican Armed Forces in fighting the drug cartels. The U.S. government may need to concede that Mexico will need time to redesign and reinstall its police forces and judicial system. This does not mean that accountability of assets and the police agencies will be waived under Mérida but that Mexico will need time to bounce back in the same way that it took time for Colombia to reassert its state authority with its restructured state entities.

As described in the Agora Magazine article “Mexico Transforms its Judicial System” Mexico is working on rebuilding its judicial system going from an inquisitorial to an accusatorial one.⁴⁵ Under reforms passed the accused would have rights as to those most Americans are familiar with. No searches without a warrant, a faster warrant processing system, no forced confessions or torture, no indefinite confinement and the right to legal representation. The implementation of this system can benefit from material and training support from Mexico’s neighbors the Canada and the United States.

In recent years the GOM has made progress in the battle against the DTOs. The effectiveness of the progress is like the tip of an iceberg. The take-downs of cartel leader’s make for good news stories but the drug violence and drug flows continues.

Since 2002 the combined efforts of the Mexican law enforcement and armed forces have captured or killed the following individuals: Jesus Zambada Barragan from the Sinaloa cartel, Arturo Beltran-Leyva in December of 2009 from the BLO, Edgar “La Barbie” Valdez Villareal BLO, Vicente Zambada from the Juarez cartel, Teodoro Garica Simental from the Tijuana cartel, and Ignacio “Nacho” Coronel from the Sinaloa cartel.⁴⁶

While the victories against the cartel leaders are important the organizations remain and are still difficult to neutralize. New leaders promptly replace the captured or killed leaders and their actions lead to take over can increase drug related violence in the areas where the cartel operates. The takedown of leaders can also be a signal to rival cartels to move into an area that they are trying to take over while the current cartel struggles due to a lack of leadership.

¹Manuel Suarez-Mier, “A View from the South,” *Foreign Service Journal* 17-22 (October 2007): 18.

²Max G. Manwaring, *A “New” Dynamic in the Western Hemisphere Security Environment: The Mexican Zetas and Other Private Armies* (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, September 2009), 10.

³U.S. Joint Forces Command, *Joint Operating Environment* (Norfolk, VA: Joint Forces Command, 2008), 36.

⁴Andrea Becerril, “Escepticismo Sobre Nuevo Embajador de EU en Mexico.”[skepticism about new US ambassador to Mexico]. *La Jornada*, 29 March 2009, Online edition, <http://www.jornada.unam.mx/2009/03/28/index.php?section=politica&article=004n1pol> (accessed 2 February 2011).

⁵El Universal Newspaper, “Calderon Rules Out Joint Military Operations with U.S. Mexico City, Mexico 30 Mar 2009,” http://multimedia.eluniversal.com.mx/n_buscador_medios.html (accessed 2 February 2011).

⁶Ibid.

⁷“Mexico Condemns Comment that U.S. Might Have to Send Troops to Fight Cartel [Insurgency],” *FoxNewsLatino*, 9 February 2011, <http://latino.foxnews.com/>

latino/news/2011/02/09/mexico-condemns-officials-insurgency-comment-suggesting-crime-groups-topple/ (accessed 9 February 2011).

⁸U.S. Joint Forces Command, *Joint Operating Environment* (Norfolk, VA: Joint Forces Command, 2010), 47.

⁹Jan C. Ting, "Immigration and National Security," *Orbis* 49, no. 1 (9 September 2005): 42.

¹⁰Mark P. Sullivan and June S. Beittel, *Mexico-U.S. Relations: Issues for Congress* (Washington, DC: Congressional Research Service, December 18, 2008), 14.

¹¹Grayson, *Mexico: Narco-Violence and a Failed State?*, 272.

¹²Hal Klepak and Stephen J. Randall, *Mexico: Current and Future Political, Economic and Security Trends* (Calgary, Canada: Canadian Defense and Foreign Affairs Institute, August, 2010), 1.

¹³*Ibid.*, 14.

¹⁴*Ibid.*, 15.

¹⁵*Ibid.*, 1.

¹⁶John E. Herbst, "Addressing the Problem of Failed States: A New Instrument," *Prism* 1, no. 1 (December 2009): 22.

¹⁷*Ibid.*, 26.

¹⁸LTG Guy C. Swan, "United States Army North: Combined Joint Forces Land Component Command" (Lecture, Eisenhower Auditorium, Fort Leavenworth, KS, 2 December 2010).

¹⁹Paz, 235.

²⁰Greg Williams, "Advanced Situational Awareness Training" (Lecture, Eisenhower Auditorium, Fort Leavenworth, KS, 9 December 2010).

²¹George W. Grayson, *La Familia Drug Cartel: Implications for U.S.-Mexican Security* (Carlisle Barracks, PA: U.S. Army War College Strategic Studies Institute, December 2010), 4.

²²Gregory Fontenot et al., *On Point: The United States Army in Operation Iraqi Freedom* (Washington, DC: U.S. Government Printing Office, 2004), 272.

²³Grayson, *La Familia Drug Cartel*, 61.

²⁴Hal Brands, *Crime, Violence, and the Crisis in Guatemala: A Case Study in the Erosion of the State* (Carlisle, PA: Strategic Studies Institute, May 2010), 9

²⁵*Ibid.*, 14.

²⁶Manwaring, 1.

²⁷*Ibid.*, 23.

²⁸U.S. Department of Justice, *National Drug Threat Assessment: 2010* (Washington, DC: U.S. Government Printing Office, May 25, 2010), 14.

²⁹David Maung, "Inside Mexico's Drug Tunnels," *Time Magazine*, http://www.time.com/time/photogallery/0,29307,1895418_1877436,00.html (accessed 7 Mar 2011).

³⁰Government of Mexico, *Mexico and the Fight Against Drug-Trafficking and Organized Crime: Setting the Record Straight* (Washington, DC: Mexican Embassy, 2009), 8.

³¹Kristin M. Finklea et al., *Southwest Border Violence: Issues in Identifying and Measuring Spillover Violence* (Washington, DC: Congressional Research Service, 24 August 2010), 12.

³²*Ibid.*

³³Marc Lacey and Ginger Thompson, "Two Drug Slaying in Mexico Rock U.S. Consulate," *New York Times*, 14 March 2010, World/Americas section, online edition, <http://www.nytimes.com/2010/03/15/world/americas/15juarez.html> (accessed 9 February 2011).

³⁴Finklea et al., 1.

³⁵David J. Danelo, "The Many Faces of Mexico," *Orbis* 55, no. 1(January 2011): 164.

³⁶Finklea, et al. 9.

³⁷Eric A. Reid, "Reconsidering Military Support to Counterdrug Operations Along the U.S-Mexico Border" (Master's Thesis, Command and General Staff College, 2009), 59.

³⁸Chad C. Haddal, *Border Security: The Role of the Border Patrol* (Washington, DC: Congressional Research Service, August 2010), 29.

³⁹National Public Radio Website, “Refugees: No Return To Town Hit By Mexico Drug War,” <http://www.npr.org/templates/story/story.php?storyId=131517012> (accessed 24 November 2010).

⁴⁰Hal Brands, *Mexico’s Narco-Insurgency and U.S. Counterdrug Policy* (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, May 2009), 13.

⁴¹Clare R. Seelke, *Mérida Initiative for Mexico and Central America: Funding and Policy Issues* (Washington, DC: Congressional Research Service, April 2010), 2.

⁴²*Ibid.*, 28.

⁴³Government of Mexico, 10.

⁴⁴Grayson, *Mexico: Narco-Violence and a Failed State*, 97.

⁴⁵“Mexico Transforms its Judicial System,” *Agora Magazine* 3, no. 2 (2010): 8.

⁴⁶“A Targeted Approach: The Takedown of Arturo Beltran Leyva Shows the Tenacity in the Fight Against the Cartels,” *Agora Magazine* 3, no. 4 (2010): 55.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

The United States and Mexico must hang together, or the instability of their common frontier will eventually hang them separately.

— David J. Danelo,
The Many Faces of Mexico

Conclusions

The Mérida Initiative of 2008 was a breakthrough in U.S and Mexico relations. A year after Mexican President Calderon launched the GOM's war on the drug cartel both governments cooperated diplomatically on a major issue facing both nations. In drafting the plan that became the Merida Initiative the legislative and national security members from both nations gathered to jointly draft an agreement on how both countries would fight the drug war. Further expansion of assistance programs need to follow the format of the Mérida Initiative. The U.S State department has done so under what is known as "Beyond Merida" an enhancement of the cooperation to fight the drug war and improve the security of both nations.¹ Joint interaction will impact both the drug war and diplomatic relations between the two nations.

As mentioned by Hal Brands it remains to be seen how a balance can be maintained in not trying to apply the lessons from the drug war in Colombia to Mexico. Brands states that the Merida Initiative is not a copy of Plan Colombia as Mexico and Colombia are different environments.² What worked in one country will not necessarily work in the other. The U.S. should not look to solve the complex problem in Mexico with the lessons learned in Colombia.

The definition of “Spillover violence” currently used by the inter-agencies is flawed due to poor metrics. The definition does not include cartel on cartel violence inside the United States. Violence on the either side of the border will be detrimental to diplomacy, trade, and security. Regardless of the victim’s nationality (U.S/Mexico or other) or employer, DTOs spillover violence is destructive for both nations security and economic interest. With no applicable pursuit policies in place the perpetrators can use the border as a safe haven since U.S. agencies cannot pursue into Mexico.

The killing of David Hartley on Falcon Lake highlighted the lack of bilateral agreements. If this incident had been cartel on cartel violence someone would still be dead and US authorities could not respond across the border if they had viewed and been in position to be able to respond to the incident. The violence on the Mexican side of the border will likely continue unabated.

The Rand Corporation study highlighted crimes that were not labeled as “Spillover violence” because the victims were not U.S. citizens. In 2007 Acuna, Mexico Councilman Mario Espinoza Lobato was gunned down in Del Rio, TX.³ In a three year span the Arrellano Felix Organization killed and kidnapped dozens in the San Diego, CA area.⁴ The increased violence as mentioned above has negative impacts on both sides of the border.

The danger exists of a potential “Spillover” incident that could resurrect an American response similar to the reaction following Pancho Villa’s raid on Columbus, New Mexico. The past history between both nations makes an American response probable if a drastic act of spillover violence were to occur. A unilateral response by U.S. law enforcement or the armed forces could come as a result and lead the United

States to become involved in case of a mass casualty producing attack where U.S. civilians are killed whether targeted or accidental. The potential danger of U.S. unilateral action in response to a Villa style raid/incident inside the U.S. could set back relations between the two nations.

Political backlash against Mexico is also a potential issue from incidents such as the Hartley murder and the murder of Robert Krenz in Arizona which led to the infamous Arizona anti-immigrant law SB 1070.⁵ This law passed by Arizona would have allowed local law enforcement to check the immigration status of individuals detained for regular crimes. Portions of SB1070 were blocked by U.S. courts pending determination of the Constitutionality of those portions. Sporadic and isolated incidents such as these have to potential to effect diplomatic and security cooperation between the United States and Mexico; which are already on fragile level.

Senior U.S military leadership has stated the next operating environment for the U.S. Armed Forces could be Mexico. Among the senior leadership is Lieutenant General Guy C. Swan III. LTG Swan addressed the United States Army Command and General Staff College Class 11-01 on 2 December 2010. Among the topics of his presentation was the function and planning of United States Army to support the GOM in its fight against the DTOs. General Swan stated this would be the next significant involvement of the United States Armed Forces after operations in Iraq and Afghanistan wind down or concluded.⁶

The assistance provided to Mexico envisioned by General Swan will be along the lines of Foreign Internal Defense (FID) performed by Special Operations Forces (SOF) or military training teams similar to the teams assisting the Iraq and Afghan Security Forces.

This mission, as envisioned by Lieutenant General Swan, would be at the request of the GOM.⁷ After the speech the author of this thesis asked General Swan how the U.S. would or could overcome the Mexican issue of sensitivity to their concerns over their sovereignty? General Swan replied that this is beginning to change and with increased communication and cooperation the two governments can work toward defeating the DTOs.⁸

U.S. Troops in Mexico

U.S. troops in Mexico are the least desirable option for Mexico and the United States governments, and have been categorically rejected by the current Mexican president. Other military arts and science thesis from the U.S. Army Command and General Staff College (Reid 2009, Campbell 2010) have been against U.S troops inside Mexico or alongside the border. There is no possibility and it's not economically feasible to attempt to seal the entire 2,000 mile border with American troops.⁹ Unlike the Mexican armed forces, the U.S. active duty armed forces are prohibited by law from conducting law enforcement operations. The Mexican armed forces have the capability to fight the DTOs and can do so on their own; precluding the need for U.S. intervention.¹⁰

National Guard forces acting under State government orders can conduct support pending operational orders and funding from their state government. In August of 2010, 1,200 National Guard troops have been sent to certain border cities to assist local, State and Customs and Border Patrol.¹¹ This, however, equals to trying to plug a dam leak with a finger as only 92 Soldiers were assigned to support the El Paso sector from August of 2010 to August 2011. National Guard forces assigned to this type of support missions are given authorization for specific time periods.

How to Help Mexico

The recommended manner to assist Mexico is discussed by Schafer, Bahney, and Riley in their article *Security in Mexico: Implications for U.S. Policy Options*. The assistance needs of be respectful to Mexico's sovereignty, be able to provide more than material assistance, and have a strategy based on a long term mutual cooperation.¹² The interagency assistance foreseen by U.S. political and military leaders can still be accountable and beneficial to both nations. The first target should be to assist Mexico regain security throughout the country. As seen in Iraq and Afghanistan without establishing security rebuilding national institutions such as the police and judicial systems will not be possible.

The United States and Mexico have cooperated before and do cooperate at the local and state level. In the days of a common enemy such as the Indians (Apaches and Comanches) state law enforcement cooperated to fight a common enemy.¹³ Today the enemies of Mexico and the United States are the DTOs. Cooperation will need to improve at the national level and allow it to filter down to the local and state level. As in the past both nations have a vested interest to work together.

The question to answer for Mexico and the United States is as Manwaring describes how it will require the changing of the paradigm from micro to macro.¹⁴ The fight is as Manwaring states not just law enforcement and military.¹⁵ The fight involves multiple agencies from all of the involved governments; Mexico, the U.S. and Canada. The end state is Mexico being self-sufficient in its internal law and security which will benefit not just the region but multiple parts of the world and diplomatic, economic and security.

The Mexican Armed Forces

The Mexican armed forces have been used to fight the drug war for numerous years. They are one of the few Mexican government entities with the capability to reach around the country. The armed forces are one of the few institutions respected by the people of Mexico.¹⁶ The Mexican armed forces have distinguished themselves in the current war on drugs in Mexico. They are one of the few entities of the Mexican state that has not been corrupted in such a degree as the local and judicial entities and intimidated by the DTOs. Even with the intensity of the drug war the President of Mexico has avoided invoking Article 29 of the Mexican Constitution.¹⁷ Article 29 of the Mexican constitution is equivalent to martial law which allows for the suspension of civil liberties for specific periods of time as designated by the President of Mexico with Mexican congressional approval.

While not a desirable option, the Mexican government has been forced to rely on the armed forces to conduct law enforcement duties for the immediate future. As George Grayson stated “Yet, reliance on the Army and Navy was essential in light of the venality and unprofessionalism that infused police departments”.¹⁸ There are simply no options until the DTOs can be neutralized and a new local, state, and national police system can be rebuilt. GOM attempts to re-establish an effective police system while fighting an intense war against the DTOs will continue to pose a challenge for Mexico.

As part of institutional rebuilding the United States and Canada can assist Mexico in developing a Joint Command structure for their armed forces to coordinate their actions against the DTOs while the police and judicial system is restructured. Assistance to Mexico can be immediate such as hardware and training and it can also be long term

such as the institutional rebuilding. The benefit for all countries involved will be a coordinated effort against the drug trafficking organizations while respecting Mexico's sovereignty concerns.

Mexican generals and lower ranking officers of the various services have been arrested and charged with corruption and working for the drug cartels. In order to reduce the possibility of corruption the SEDENA; (Mexican army and air force) keeps its personnel on duty for four months at a time.¹⁹ The SEDENA and SEMAR can benefit from enhancement in terms of training and operating capability. U.S. assistance can be used to make the Mexican armed forces better and again reduce the possibility of U.S troops being sent into Mexico. The increased capability of the Mexican armed forces would also assist their police improve and reduce the likelihood of spillover violence.

Robert Grayson described some of the technical needs of the Mexican armed forces as fighter jets and radar systems; which would be used to defend Mexico against infiltration by drug couriering aircraft. In addition helicopters can also assist the Mexican armed forces respond faster to crisis areas. The armed forces of Mexico are able to operate effectively the area for the U.S. to assist is in enhancing their operational reach with funding, equipment and training similar to that being provide to the Iraqi and Afghan security forces.

The continued use of the Mexican armed forces in law enforcement operations not only stretches their operational reach, it also makes them unavailable for drug eradication missions. As pointed in the National Drug Threat Assessment (NDTA) by the example of the rise in the availability of Marijuana from Mexico. This fact can be attributed to the continued use of the Mexican armed forces in the effort to contain the violence through

the country.²⁰ They are not available to conduct one their previous main missions of drug eradication.

Recommendations An Interagency Fight (Effort)

The interagency fight (effort) refers to the various U.S. Government agencies such as the State Department, the Justice Department, the Department of Defense, the Department of Homeland Security, the United States Agency for International Development, and other applicable agencies working together in coordination to help the GOM with its efforts on the war on drugs through diplomatic, economic, and security needs.

This interagency fight should be focused on the immediate threat which is to assist Mexico in neutralizing the DTOs. This is equivalent to Phase II (Seize the Initiative) of military operations as defined by the U.S. DOD.²¹ This action needs to be followed through with assisting Mexico to improve its police and judicial systems; the institutional rebuilding. The training necessary can be accomplished with the combined efforts of the Department of Defense (to train the armed forces), Department of Justice (to training the judicial elements), the FBI/DEA (to train police/counter-narcotics elements), and United States Agency for International Development (USAID) to assist in social and economic programs.

Mexico and the United States Today

The 3 March 2011 U.S. and Mexico Security summit between Mexican President Calderon and U.S. President Obama left many of the diplomatic implications of the drug war unresolved. President Calderon again announced that U.S. agents working in Mexico

would not be allowed to be armed due, even for self-defense, to Mexico's sovereignty concerns. This is even after the recent 16 February 2011 shooting and killing of ICE agent Zapata on a Mexican highway by unknown assailants.²² President Obama did not push the issue. And once again the GOM has recently asked that Ambassador Pascual be removed from his post.

On 19 March 2011 Ambassador Pascual resigned as Ambassador to Mexico over the Wikileaks State Department cables that reported infighting between the Mexican armed forces. This report caused Mexican President Calderon to call for Ambassador's Pascual's ouster for perceived "meddling into Mexican internal affairs by the Ambassador" as reported by FOXNEWS on 20 March 2011.²³

Ambassador's Pasucal's reported Wikileaks cable was also recently covered by the *Los Angeles Times* who also reported that Pascual's comments, -which many admit are accurate, described Mexico's drug war as ineffective due to the infighting among the Mexican security forces. These diplomatic cables are still considered classified documents and were therefore not available to be incorporated in this thesis. The main comments angered Mexican President Calderon who demanded that Ambassador Pascual be removed. While not diplomatically appropriate the assessment of Ambassador Pascual demonstrated the interference caused by diplomatic issues in getting the United States and Mexico to agree to anything. The main consequence of not having any agreements is that Mexico remains mired in a war it cannot win, a war that is losing popular support in Mexico, and whose effects for both countries have continued to get worse.²⁴

In a difference of opinion, the ex-President of Mexico Vicente Fox, also from the PAN, supported Ambassador Pascual Wikileaks assessment of the situation in Mexico.

Fox declared that yes Mexico was in a war, the security services were not ready and divided, Fox stated Pasqual's comments were "no lejos de la verdad: [Not far from the truth]." Fox criticized the use of the SEDENA and SEMAR in the drug war in Mexico. Fox's criticism of current President Calderon policies and U.S. government support for Mexico via the Merida Initiative as inadequate, due to the limited 1.4 billion authorized, and left Mexico and the United States in a diplomatic quagmire.²⁵

The diplomatic impasse over the arming of U.S. agents in Mexico remains as of the conclusion of the 3 March 2011 U.S. and Mexico summit.²⁶ As stated by both Presidents Calderon and Obama U.S. agents will not be armed due to current Mexican laws prohibiting that action. This issue poses a serious safety issue for U.S. agents from the DEA, ATF, ICE, and other agencies working in Mexico. Mexican authorities are unable to protect American agents as demonstrated by the killing of Agent Zapata in a diplomatically tagged vehicle.

U.S. Drug Consumption

While not researched in this thesis U.S. drug consumption is the main issue that continues to fuel the drug war and, therefore, affects U.S. and Mexico diplomatic and security interaction. U.S drug consumption (the demand for the drugs) is one of the most often heard criticisms from the GOM. The legalization of drugs presents an undesirable option for the United States, or any democracy. This is similar to the presence of U.S troops in Mexico represents an undesirable option for the GOM. U.S. Representative Eliot Engel (D-NY) stated in his criticism of the Merida Initiative that the program will not succeed as long as the problem remains the high demand for drugs by the U.S. population.²⁷

According to the 2010 NDTA the consumption of illicit drug remains a severe problem. Health, legal problems, and work productivity have effects on the U.S. population.²⁸ Twenty five million American are estimated to be drug dependent according to the 2010 NDTA.²⁹ Health related costs are estimated at 215 billion dollars a year for the U.S. population being treated for drug addiction.³⁰ Regardless of this fact the drug trade continues to be profitable for the DTOs involved. The U.S. government policy toward the consumption of drugs will have as a significant impact on the drug war as funding for Mexican government entities. This is a two front war.

Why Help Mexico?

The United States has a vested interest in helping Mexico. Hal Brands stated that fighting government corruption in Guatemala is a critical factor to overcome as it is in Mexico.³¹ These two governments are facing similar problems caused by the same Mexico DTO Los Zetas. The same situation that makes the Guatemalan armed forces and government vulnerable can be applied to Mexico.³² Fighting the corruption begins with reconstructing the key security elements such as the armed forces, police, and judicial elements. Without these factors the state will cease to be effective and a failed state on its border would be a security challenge for the United States.

One nation alone will not be able to solve the security implications of the drug war. As violence continues to escalate it has been felt on both sides of the border. American and Mexican citizens, Mexican citizens to a higher proportion, are dying daily in drug related violence. Spillover violence has been seen more frequently and has taken the sense of security away from communities on both sides of the Southwest border.

The DTOs affect both Mexico and the United States. Similar to the end of the Mexican-American war the United States has a vested interest to ensure Mexico can achieve a security to ensure its economic development and re-instatement of state authority. U.S. assistance to increase Mexican law enforcement, judicial, and armed forces are similar today to the goals of U.S. withdrawal from Mexico in the aftermath of the Mexican-American war.³³

As Levinson concludes in his article a stable GOM is the desired end result.³⁴ This will reduce the possibility of U.S. unilateral action in Mexico. Avoiding unilateral action allows Mexico to take care of the security issues themselves with minimal direct U.S. personal involvement and reduces the possibility of spillover violence rising inside of the United States while respecting its sovereignty. The use of soft power in interacting with Mexico in the drug war can enhance opportunities for cooperation. This seeks to avoid the mistakes of the past when the U.S. used hard power and earned few friends in the process.³⁵

Further Research/Unanswered Questions

While not a research question one item that will impact diplomatic and security cooperation will be the upcoming 2012 Mexican Presidential election. What would the change in ruling political party have on Mexico's waging of the drug war and its relations with the U.S.? The election results: the PRI (Institutional Revolutionary Party) returns to power, President Calderon's PAN (National Action Party) retains power or the PRD, a significant third party, will have an influence on the Mexico and U.S. diplomatic and security interaction at a crucial time in the drug war. The PRD has the potential to pose a "tea party" effect on the Mexican election in 2012, as it can split voters away from either

PAN or PRI. It remains to be seen how this significant third party will affect the upcoming election.

Each of the three major political parties that can win the election will have diplomatic effects for the U.S. government. The change in the ruling party has the potential to result in an unofficial cease-fire with the drug cartels.

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²Hal Brands, *Mexico's Narco-Insurgency and U.S. Counterdrug Policy* (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, May 2009), 33.

³Agnus Gereben Schafer, Benjamin Bahney and K. Jack Riley, *Security in Mexico: Implications for U.S. Policy Options* (Arlington, VA: Rand Corporation, 2009), 21.

⁴*Ibid.*, 46.

⁵Danelo, 164.

⁶LTG Guy C. Swan, "United States Army North: Combined Joint Forces Land Component Command" (Lecture, Eisenhower Auditorium, Fort Leavenworth, KS, 2 December 2010).

⁷*Ibid.*

⁸*Ibid.*

⁹Eric A. Reid, "Reconsidering Military Support to Counterdrug Operations Along the U.S.-Mexico Border" (Master's thesis, Command and General Staff College, 2009), 92.

¹⁰David R. Campbell, "Evaluating the Impact of Drug Trafficking Organizations on the Stability of the Mexican State" (Master's thesis, Command and General Staff College, 2010), 53.

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- ¹²Schafer, Bahney, and Riley, 58.
- ¹³Danelo, 170.
- ¹⁴Manwaring, 34.
- ¹⁵Ibid.
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- ¹⁸Grayson, *La Familia Drug Cartel*, 70.
- ¹⁹Hal Klepak and Stephen J. Randall, *Mexico: Current and Future Political, Economic and Security Trend* (Calgary, Canada: Canadian Defense and Foreign Affairs Institute, August, 2010), 10.
- ²⁰U.S. Department of Justice, *National Drug Threat Assessment: 2010* (Washington, DC: U.S. Government Printing Office, 2010), 36.
- ²¹U.S. Department of Defense, Joint Publication (JP) 3-0, *Joint Operations* (Washington, DC: U.S. Government Printing Office, 2010), IV-24.
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²⁸U.S. Department of Justice, 3.

²⁹*Ibid.*, 1.

³⁰*Ibid.*

³¹Brands, *Mexico's Narco-Insurgency and U.S. Counterdrug Policy*, 38.

³²Hal Brands, *Crime, Violence, and the Crisis in Guatemala: A Case Study in the Erosion of the State* (Carlisle, PA: Strategic Studies Institute, 2010), 32.

³³Irving W. Levinson, "A New Paradigm for an old conflict: The Mexico-United States War," *The Journal of Military History* 73 (April 2009): 405.

³⁴*Ibid.*, 416.

³⁵Joseph R. Nunez, *A 21st Century Security Architecture for the Americas: Multilateral Cooperation, Liberal Peace, and Soft Power* (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, August 2002), 5.

GLOSSARY

Commission Nacional de Derechos Humanos (CNDH). Mexico's National Commission on Human Rights. Counter-drug support is dependent on Mexico's human rights record.

Department of Homeland Security (DHS). Lead US government agency for protection of the United States in the areas of terrorism, drug trafficking, and illegal immigration. Established after the 9/11 terrorist attacks for the coordination of response efforts of various US agencies.

Drug Trafficking Organizations (DTO's). The "Drug Cartels" from Mexico who exhibit many characteristics of highly organized criminal organizations. These drug trafficking organizations pose the greatest threat to the United States from drug trafficking from worldwide organizations.

Failed State. Composed of three components: 1. Geographical and territorial aspect- consisting of implosion of power and authority; the disintegration and destruction of States. 2. A political aspect- consisting of an internal collapse of law and order. 3. The functional aspect- consisting of the absence of bodies capable of representing the state at the international level.

Immigration and Customs Enforcement (ICE). Post 9/11 re-organization of U.S. Customs and Border Patrol Service. ICE's primary mission is to protect national security, public safety and the integrity of the U.S. borders through criminal and civil enforcement of federal laws governing border control, customs, trade and immigration.

Mérida Initiative. A 2007 act of Congress which funds drug interdiction support for Mexico and Central American countries. Aid is dependent on Human rights progress/improvement as well as professionalization of law enforcement and military personnel for recipient nations.

Modus Vivendi. A temporary agreement between contending parties pending a final agreement.

North American Free Trade Agreement (NAFTA). Economic agreement between the United States, Mexico, and Canada for a free trade zone.

Partido Accion Nacional (PAN) (National Action Party)—Current ruling party in Mexico. Current Mexican President Calderon is from the PAN party.

Partido de la Revolucion Democratica (PRD) (Democratic Revolution Party). Mexican leftist political party.

Partido Revolucionario Institucional (PRI) (Revolutionary Institutional Party PRI). Long time ruling party; Mexican political party.

Secretaria de la Defensa Nacional (SEDENA) Ministry of National Defense. Mexico's Department of the Army. Executive cabinet position. Director is active duty Army officer.

Secretaria de la Marina (SEMAR). Mexican Naval Ministry. Executive Cabinet position which commands Mexico's Naval/Marine forces. Director is active duty Mexican Naval Officer.

Spillover Violence. Drug war related crimes and terrorist acts that occur on the U.S. and Mexico border. The acts occur predominantly in Mexico but have been known to spill into the United States in communities that are in close proximity.

United States Agency for International Development (US AID). U.S. government agency responsible for the coordination and execution of foreign aid assistance programs.

United States Joint Forces Command (USJFCOM). United States Joint Forces command responsible for providing forces for worldwide contingencies. The 2008 report on the Joint Operating Environment (JOE) prompted criticism from the Mexico government due to Mexico being labeled a potential failing state.

United States Northern Command (U.S. NORTHCOM). U.S. Unified Command responsible for the DOD contribution to homeland defense. Interacts with Interagency and military forces from drug war affected countries.

APPENDIX A

Map of Mexico

(Used to reference regions of Mexico)



Source: June, S. Beittel, *Mexico's Drug-Related Violence* (Washington, DC: Congressional Research Service, 27 May 2009), 7.

APPENDIX B

Narco Banner

DUE TO COPYRIGHT RESTRICTIONS,
IMAGES ARE NOT INCLUDED
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Source: Google Images (accessed 10 November 2010)

Narco banner translation: “The Gulf Cartel distances itself from Los Zetas. We do not want kidnappers, terrorists, rapists, bank robbers, child killers, and traitors in our ranks.” Translated by author.

Narco banners are used by Drug Trafficking Organization for intimidation, information, and recruiting operations.

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